THE EFFECTS OF PLANNING CONTROL ON OFFICE DEVELOPMENT

A COMPARATIVE STUDY OF EDINBURGH AND DUBLIN

BY

TIMOTHY WILLIAM RIDEOUT

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Sero sed Serio

(family motto of the Kerrs)

ABSTRACT

Offices, and thus office development, are an important sector in western economies. Planning controls can potentially have a substantial impact on office development and developers, and thereby on the office sector. In the UK, planning has been the subject of considerable criticism, especially from developers and those on the right of the political spectrum. It has been accused of restricting development activity, raising costs and thus damaging national economic growth. The research thus sought to investigate the hypothesis that UK planning controls have been significantly restrictive of office development, thereby imposing substantial economic costs. This was achieved by means of a case study comparing a UK city with a reputation for exercising strict planning controls, namely Edinburgh, with Dublin in the Republic of Ireland. The latter city was considered similar to Edinburgh except that it was reported to have a permissive development control system. The study proceeded by means of an evaluation of eight specific hypotheses relating to various aspects of planning restrictivess and costs.

A review of planning legislation and policies in force in the study areas indicated that there were notable differences, such as a two month maximum length of decision period and weak conservation provisions in Dublin compared to an office restraint policy and extensive conservation provisions in Edinburgh. These provided good grounds for considering that the latter would be less favourable for office development. In order to execute the study, data was collected on all office related planning applications made over a ten year period from 1976 to 1985 for both cities. The data was combined with digital maps to create a Geographical Information System.

The detailed analysis covered three themes, namely a comparison of one whole study area against the other, a comparison of the temporal patterns, and a comparison of the spatial patterns. Surprisingly only two of the specific hypotheses were fully supported by the results. Edinburgh had refused a higher proportion of appeals than Dublin and showed a very different spatial location pattern. Three hypotheses were partially substantiated, namely that Edinburgh often imposed greater delays, frequently used more and heavier planning conditions, and conservation provisions had generally had greater effect. On the other hand average development size was generally not smaller in Edinburgh, while Edinburgh was found to have actually granted permission for a higher proportion of office planning applications than Dublin.

It thus seemed that it could not be unambiguously concluded that Edinburgh had been more restrictive or costly. This, though, was counter to the common view and subjective impressions. A number of explanations were proposed. These included that the recorded level of planning applications and refusals in Edinburgh had been depressed because some developers had been put off submitting potentially controversial applications. Related to this, developers in Edinburgh had had to take greater account of planning policies through proposing more suburban or change of use proposals than in Dublin. It also appeared that more negotiation took place with the planners in Edinburgh as developers sought to make their proposals acceptable. The absolute differences between the cities were very large, especially for new build offices and if measured in terms of floor area. Dublin planning conditions were considered to be less burdensome than appeared at first glance. Planning delays and thus costs in Edinburgh fell most heavily on the larger developers. Finally, Dublin had not been as strict on conservation as appeared, since many of the proposals in these areas probably had much more damaging implications than was likely in Edinburgh. Thus Edinburgh had generally been more restrictive than Dublin. This was not, though, to conclude that the costs of planning had come to outweigh the benefits. It was suggested that Edinburgh policies probably had had significant benefits, such as a high quality environment, while Dublin seems likely to have paid a high price for its relaxed development control. The thesis concluded with some suggestions for each city, and further work that could help to better quantify the costs and benefits of planning and development control.

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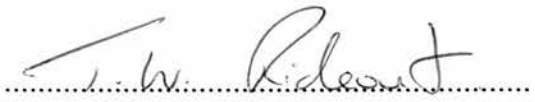
DECLARATION

In accordance with section § 3.4.7 of the Submission of Theses regulations 1992/93 of the University of Edinburgh, I hereby declare that this thesis has been composed by the candidate.



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CHAPTER 1

INTRODUCTION AND BACKGROUND

INTRODUCTION:

During the course of the twentieth century office functions have become increasingly important in the city specifically and in westernised society more generally. Given the importance of the office sector, the intention of the thesis is to examine one aspect of the physical development of offices. This is the effects of planning controls on the development process. The investigation is approached by means of a comparative study of two cities that have limited, but important, differences. These cities are Edinburgh in Scotland and Dublin in the Republic of Ireland. The objective of the research is to identify and explain differences in the patterns of office development. From this it is hoped to reach conclusions about the extent to which planning controls have affected office development. In this the research will concentrate particularly on deciding whether or not planning has substantially restricted office development, thereby imposing a substantial cost on society.

Prior to considering the rationale of the research and setting out the specific objectives in Chapter 2, the background to the study will be summarised. The background mainly comprises an assessment of the importance of the office sector in the contemporary economy, followed by a brief outline of some of the research that has been undertaken on aspects of the location and development of the office sector. In most countries, however, the development of office property does not proceed in a vacuum. The majority of societies attempt to regulate the operation of the market in property in some way. In the United Kingdom this regulation has taken the form of a system of planning and development control. The final part of the introduction, therefore, examines the perceived need for regulation, and the way in which this system has become a focus of contention. Thus some groups have argued for more controls while others, especially those on the right of the political spectrum, have accused the system of excessive bureaucracy and of being a drag on economic growth. The conclusion to the present chapter also includes a brief outline of the structure and main components of the thesis.

DEFINING THE OFFICE:

The thesis is primarily concerned with offices, so it may be helpful to begin by considering what exactly constitutes an office. Daniels (1975, p4) suggests that "... the minimum function of an office is to direct and co-ordinate the activities of an enterprise." The office function is said to consist of:

(i) receiving information from various sources;
(ii) recording the information received;
(iii) arranging the information in an easily accessible form;
(iv) providing the information to those needing it; and
(v) safeguarding the assets of the enterprise (Daniels, 1975).

Unlike other forms of economic activity, offices deal primarily in intangible goods and services, and exist either as independent establishments or as components of establishments of other activities.

The nature of the office function thus gives rise to a recurring problem in the study of office land use. Daniels (1975, p4) notes that whereas "... the functional definition of an office is fairly straightforward ... its physical characteristics are more difficult to isolate." The difficulty arises because "... the office sector comprises those activities which are involved in the production and exchange of information (and) such activities occur in all industries" (Damesick, 1980, p15). Thus it can be expected that every establishment in the economy will contain some office activity (Rhodes & Kan, 1971).

All of those researching the office sector have, if only implicitly, adopted a definition of what constitutes an office. A relatively broad official definition is provided by the Offices, Shops and Railway Premises Act 1963. In terms of the legislation, office premises are defined as a building or part thereof "... the sole or principle use of which is an office for 'office purposes'" where 'office purposes' include administration, clerical work, handling money and telephone and telegraph operating (OS & RP Act, 1963, section 1(2)). This definition has been widely adopted, for example by Goddard (1973), Fernie (1974), and Turner (1978).

Some authors, however, have preferred to define office premises more narrowly in order to focus primarily on free standing, often purpose built office premises. These are seen as being characteristic of the modern office sector. Perhaps the most comprehensive of such definitions is that adopted by Pritchard (1975) in which: "An office is a distinct unit, physically and spatially separate from any other type of

internal or external, associated or disassociated activity. It is characterised by all of its staff being engaged in one or more of the following activities: the assembly, handling, processing, exchange and storage of information and capital for the purpose of providing direct and/or indirect services to other activities" (Pritchard, 1975, p73). Similar definitions have been used by Daniels (1975) and Rideout (1984). The present study, however, makes extensive use of data on office developments derived from planning registers so that the official definition of an office is that which has been used in practice.

THE DEVELOPMENT AND IMPORTANCE OF THE OFFICE FUNCTION:

Throughout the early history of the city, offices played a minor role in the functional activity of the urban economy (Daniels, 1975). It was only during the course of the Industrial Revolution that the growing scale and complexity of industry led to the emergence of a need for specialised management and communications activities. Specialist functions emerged in response to industrial growth, including such activities as Finance and Insurance Companies. These activities occupied some of the earliest examples of premises used solely for office purposes. Most offices, however, remained small and often were attached to industrial plants.

TABLE 1.1
Selected Office Sector Employment Trends

USA OFFICE WORKERS	1950 1975	11,071,000[1] 24,289,000[1]
USA EMPLOYED IN OFFICE BUILDINGS	1964 1975	8,760,000 (est.)[1] 12,900,000 (est.)[1]
UK QUATERNARY SECTOR	1959 1971	2,409,000[2] 3,558,000[2]
SCOTLAND QUATERNARY SECTOR EMPLOYMENT	1971 1976	353,000[2] 428,000[2]
DUBLIN OFFICE OCCUPATIONS	1961 1971	74,458[3] 100,391[3]
EDINBURGH OFFICE OCCUPATIONS	1961 1971 1975	57,000[4] 75,000[4] 91,900[5]

Sources: 1 (Armstrong, 1979), 2 (Damesick, 1980, p67 & 92), 3 (NESC, 1977, p90), 4 (Turner, 1978), 5 (Lothian Regional Council, 1977)

It was the development in the late nineteenth century of office machines in particular, that hastened the establishment of a separate office function in the urban economy. The telephone, typewriter, and duplicator appeared from 1874 and greatly facilitated an increase in the flow of information and in particular communication on paper (Daniels, 1975). Concomitantly, building technology, which included the development of the lift (first installed in New York in 1857), and steel frame construction (first used in Chicago in 1885), permitted substantial vertical expansion of urban space (Daniels, 1975). The burgeoning office function found its accommodation in new office towers that, over time, have come to dominate the form of the central city areas of many modern cities. By 1900 buildings in New York reached up to 20 storeys, 60 storeys by 1913 and 100 storeys by 1932 (Daniels, 1975). By the 1930's the symbol of the city had become the office skyscraper which was "... displacing the industrial plant and the factory chimney" (Cowan et al, 1969, p35).

TABLE 1.2

Office Floor Space Growth in Selected Countries and Cities

USA	1957	1.85 Billion Square Feet 180 Million Square Metres[1]
	1975	3.7 Billion Square Feet 360 Million Square Metres[1]
NEW YORK GROWTH	1969 -1979	5.4 Million Square Metres[2]
ENGLAND (COMMERCIAL OFFICES ONLY)	1979 1982	41.6 Million Square Metres[3] 45.4 Million Square Metres[3]
LONDON	1961	271 Million Square Feet 25.2 Million Square Metres[4]
	1971	317 Million Square Feet 29.5 Million Square Metres[4]
CAPE TOWN	1957 1983	0.717 Million Square Metres[5] 1.564 Million Square Metres[5]
EDINBURGH GROWTH	1959 - 1978	0.44 Million Square Metres of New Office Space[6]
DUBLIN GROWTH	1960 - 1983	8.875 Million Square Feet 0.84 Million Square Metres of New Lettable Offices[7]

Sources: 1 (Armstrong, 1979), 2 (Bateman, 1985, p119), 3 (Bateman, 1985, p68), 4 (Daniels, 1975, p55 57), 5 (Rideout, 1984, p178), 6 (McNamara, 1985), 7 (Malone, 1983, p4)

In the period since the Second World War the growth rate of the office sector in the urban economy has been maintained. Daniels (1975, p1) describes the growing importance of non-manufacturing or 'white collar' employment as "... 'the quiet revolution' which has been underway since the turn of the century ..." in all large cities throughout the world. The growth trends in office sector employment are

clearly shown by the selected data in Table 1.1. Similar trends are revealed for the quantity of floor space occupied by the office sector in Table 1.2.

RESEARCH INTO THE OFFICE SECTOR:

Offices have been recognised as an important component of the urban economy at least since the identification of the concept of a Central Business District. The concept derived from the thesis of Burgess, proposed in 1925, that urban land use tended to display a zonal organisation concentrically arranged about the city centre or CBD (Carter, 1981).

Early work on the internal structure of the CBD was undertaken in New York by Haig (1926). Haig noted that "... certain advantages flow from a cohesion of functions in a given district, and the result is a number of specialised centres with definite unities of interest rather than a single diversified centre" (Haig, 1926, p418). He went on to speculate on possible reasons for the concentration of Financial Offices in the Wall Street district.

It has, however, only been since the 1950's that a specific interest in the geography of the office sector has developed. The origins of this interest may be at least partly traced to the detailed work undertaken, in particular, by Murphy and Vance (1954) to define the CBD physically. That work led to an interest in identifying and understanding the internal structure of the CBD and has subsequently given rise to work focused on its individual functional components. The office sector was soon recognised as one of the most significant of these.

A considerable number of authors have utilised the techniques developed by Murphy and Vance (1954) to study the CBD. One of the earliest studies was that by Rannells (1956) which examined the land use pattern in the Philadelphia CBD. He identified distinct distribution patterns and functional congregations. Other authors have pursued the identification of land use agglomerations. Diamond (1960) examined the distribution of office and non-office land uses in the Glasgow CBD. Davies (1965) attempted to delimit land use clusters and functional zones in the Cape Town CBD. Davies' cluster delimitation technique has also been used by Beavon (1969) on the Port Elizabeth (South Africa) CBD, Dewar (1970) on the Frame of the Cape Town CBD, Piper (1974) on the Durban CBD, and Rideout (1984) on the Cape Town CBD. Goddard (1967) identified office land use groupings in London and investigated changes in the clusters over time.

In most cases, however, the studies described were essentially descriptive and made little attempt to investigate reasons for the observed land use distributions. Davies (1965), for example, has been criticised on the grounds that he allowed "... his study (to) end rather inconclusively, neither following up the concept of linkage which he introduces, nor the historical emergence of the areas identified" (Carter, 1981, p212).

THE LOCATIONAL DETERMINANTS: DEMAND FACTORS

In a pioneering study of San Francisco offices Foley (1957) suggested that five classes of locational attributes were important in determining office locations. These were:

(a) accessibility factors;
(b) office space factors;
(c) amenity and prestige factors;
(d) clerical worker factors; and
(e) public policy considerations (Foley, 1957, p320).

The theme became the focus of a considerable volume of research during the 1960's, especially in the United Kingdom.

In 1963 the British Government recognised the significance that the office sector had acquired in the national economy, and became concerned about the marked concentration of such activities in the London area. It was decided to adopt controls on future office development as an instrument of regional policy. Through the Control of Office and Industrial Development Act of 1965, the government sought to prohibit all further office development in the London metropolitan region (and selected other areas) exceeding 3,000 square feet gross (the limit subsequently fluctuated) unless the developer could show that the proposed occupant had a particular need to locate in the controlled areas, and so obtain an Office Development Permit. The Location of Offices Bureau was established at the same time to encourage firms already established in London to decentralise, preferably to regions seen as disadvantaged in terms of office sector employment.

As a consequence it became important to examine the factors determining the choice of office location by office sector establishments, and to discover which classes of office establishment could most easily be persuaded to decentralise. Related to this were the issues of how such decentralisation could be encouraged and what its effects were likely to be.

One of the first British attempts to comprehensively examine the factors governing office location was a survey of firms in the London area undertaken by the Economist Intelligence Unit (1964). Goddard (1968) continued the examination of London offices. He carried out a detailed analysis of office location patterns in the City of London and a variety of multivariate techniques were used to demonstrate that "... sets of closely linked activities can be found grouped together in particular parts of the city" (Goddard, 1968, p81). One criticism, however, is that although it was maintained that "... linkages between different offices that demand that the linked firms be located in close proximity in the city centre are the focus of this study" (Goddard, 1968, p70), the paper did not directly address the question of functional linkages. It examined only spatial proximity of particular land uses, or spatial linkage as Goddard termed it, and assumed that such locational proximity was the result of functional linkages.

Functional linkages were examined more specifically in a study of office location in Leeds undertaken for the Location of Offices Bureau (Facey & Smith, 1968, Croft, 1969). The major objective of the study was to establish bases upon which the office function in the city could be encouraged to decentralise. To this end linkages were examined to determine those land uses least interconnected with other establishments and which were thus presumed not to especially require a central location. A similar study was undertaken by Bannon (1972) on the Dublin office sector. The aim of the study was to show that the location and relocation of offices have occurred in accordance with the nature and intensities of inter office linkages and dependency ties with ancillary services and customers. This was intended to lay the basis for an Irish policy on the location of office activities. Bannon found, however, that: "... while the study does demonstrate that centrality is of importance, that some (office activities) require to meet the general public and that the Financial Office group is particularly concentrated in the vicinity of College Green, nevertheless, the relationship between office location within the area and the necessity for face to face contacts is weak" (Bannon, 1972, p238).

Fernie (1974) working on Edinburgh undertook a further study with the aim of analysing linkages and evaluating the role that they play in office location. It was found that face to face contacts and a central location were of variable importance. They were of importance for offices such as lawyers, but rather less significant for others. It was concluded that there was considerable scope for decentralisation, especially among firms in the Manufacturing and Construction Company office categories, certain elements of the Banking and Insurance sectors and some Other Professional category firms.

Although the focus of considerable attention, linkages have not been the only factor to be studied. Returning to central London offices, Cowan et al (1969) undertook a survey in part to determine why establishments regarded their particular locations as preferable. The five most important factors identified by respondents were (in order) proximity to clients, proximity to a specified place, centrality, reasonable centrality and good communications. Some of these are linkages of various kinds. The level of rent was placed eighth and prestige was the least mentioned factor.

In a study of central Edinburgh insurance companies, McCowan (1970) found that the most important locational factors were the accessibility of the central area for staff, and prestige. Contacts with other central area establishments were found to be of only moderate importance. Davey (1973) working in Wellington, New Zealand, found that "'Commercial' and 'Transport' firms ... tend to be less concerned with centrality (, while) 'Financial', 'Professional' and 'Miscellaneous' firms see centrality and the facilities of modern premises as their main advantages" (Davey, 1973, p132). "Access to, and ease of making contacts were seen as major influences upon locational decisions by 82 per cent of those interviewed" (Davey, 1973, p123) as were staff factors, cost of land, condition of buildings and prestige.

Goddard (1970) further considered functional regions and movement linkages, concluding that London had a number of relatively self-contained functional regions with strong internal bonds. In a further paper he concluded that "Central London contains a number of seemingly well structured office systems" (Goddard, 1973, p212), and that the functional "Office complexes isolated in this study of contact flows show a high degree of correspondence with the spatial clusters identified" (Goddard, 1973, p172).

Other authors to have investigated the factors affecting office location have been Turner (1978) working on Edinburgh, Damesick (1980) on Manchester and Rideout (1984) on Cape Town. The latter study examined the locational patterns of all office establishments in the CBD in terms of 37 office land use classes. It was found that most of the land use classes exhibited some degree of clustering within a particular part of the CBD. The research subsequently proceeded, by means of an extensive questionnaire survey, to attempt to explain the observed locational patterns in terms of the locational requirements and preferences identified by respondents. It was concluded that "... while linkages offered an effective explanation of locational patterns in certain cases, they were of only moderate overall significance at the intra-CBD level" (Rideout, 1984, p206). It was found that the majority of locational patterns could be explained in terms of the relative importance of three factors,

namely "... requirements for accessibility to either corporate and/or general public clients, accessibility to services and the level of rental that establishments were prepared to pay" (Rideout, 1984, p207).

It would seem, therefore, that direct linkages are of variable importance to the different types of offices. They do not, however, appear to be able to explain locational patterns in the way once envisaged. This is especially the case within small areas like the city centre (except of very large cities). Two more general linkage related factors are important, namely accessiblity and centrality. Other factors, though, are significant, including cost, staff convenience and building quality. It is also worth noting that in some cases spatial linkages may have arisen because offices are located in proximity to each other. Most of the research, though, has assumed that linkages affected location rather than the reverse.

THE SUPPLY OF OFFICE PREMISES:

It has been assumed by the studies mentioned above that the office market operates according to neo-classical economic principles. Thus it has been assumed that demand called forth supply so that the providers of office space would passively respond to the locational preferences and requirements of those demanding such space. It has gradually come to be appreciated that this is increasingly not the case.

In the 19th century and the early part of the 20th century it would probably be true to say that the majority of office space users would have owned their own premises and probably also have been responsible for their development (construction or change of use). In such a situation it would be reasonable to assume that the neo-classical model would apply. In reality, though, almost all contemporary office property markets are characterised by a high proportion of leasehold (tenant) occupiers. Bannon (1972, p125) found that in a sample of 200 office establishments in Dublin, some 65 per cent were tenants. Pritchard (1975) suggests a similar figure (more than 65 per cent) in Bristol and Cardiff. A rather higher level of 92.7 per cent of tenanted occupiers was found in a sample of 477 establishments in Cape Town (Rideout, 1984, p136). In 21 out of 31 office land use categories all the respondents were tenants and in only nine categories were less than 90 per cent tenants. Local authorities had the highest level of owner occupation (100 per cent) with the next highest (40 per cent) being amongst Building Societies (Rideout, 1984, p136).

It is perhaps not surprising, therefore, that studies of the demand side of the office market have found it difficult to fully explain office location patterns. Thus Fernie (1977, p87) concludes that "... a complexity of factors influence locational choice ranging from economic considerations to the administrative process of acquiring planning permission itself." In a similar vein, Alexander (1978, p407) suggested, after a study of offices in Sydney, Australia, that "the over riding importance of accommodation as opposed to location factors suggests that, contrary to the predictions of location theory, the approach to the selection of a new location is often rather casual, and is certainly not comprehensive." Turner (1978) found that in Edinburgh the availability of a suitable site or office building ultimately decided the final location of office establishments.

In an analysis of service sector employment and office location in Great Britain, Damesick (1979, p23) considered that "... the spatial distribution of such (speculative office, i.e. for rental) development is as much controlled by various planning policies and developer assessments of financial returns as by the actual location requirements of office firms." He goes on to state that: "The role of developers and their financial associates in the provision and location of new office floorspace and the impact of planning policies on patterns of office development are therefore important considerations in the changing geography of metropolitan office activity along with the spatial preferences of office managements themselves" (Damesick, 1979, p201).

More recently, Bateman (1985) has more firmly stressed the role played by the developers of office premises in determining patterns of office location. He points out that: "It would be simplistic indeed to offer an explanation for office development in classical bid rent theory terms, since utility maximisation by an occupier may be a secondary consideration for development to profit maximisation for the financial institutions (the largest developers) ... The notion of speculative property development by definition suggests a system where building activity is determined primarily by the supplier of property rather than by the eventual user" (Bateman, 1985, p3). He suggests, therefore, that: "On occasions, the needs of user and developer will be immediately coincident in both time and space. Often, however, this is not the case and offices may be vacant for a considerable period of time. It is also quite conceivable that office activities, which are after all quite mobile, may move towards areas of available office space, in which case it is fair to claim ... that it is the office development process as seen from the supply side which has shaped the urban system, rather than the demand from office users" (Bateman, 1985, p4). The role, activities and objectives of the property development industry have been

examined at length by, for example, Ambrose and Colenutt (1975), Simmie (1980) and McNamara (1985).

Clearly such a conclusion would help to explain why only partial success has been achieved in attempting to understand office location when only the demand side has been considered. It should be noted, though, that developers of office premises do have to consider where demand for office premises is likely to materialise, but the link between the supply of office space and the demand for it is not direct. If developers provide the wrong amount of space or provide it in the wrong place, it will take time for this to show in vacancy rates or rental levels. What can be anticipated is that due to the difficulties of predicting demand, developers (except those building for their own occupation) will favour areas of established and proven demand, rather than untested areas. Such a proven area would generally be one in which other developments are seen to have been successful, which in a British context would tend to favour the central city, and especially that of London. Such behaviour on the part of developers gives rise to the phenomenon of self fulfilling prophecies, discussed at some length by Bateman (1985). In such circumstances, one or two developers identify an area as having potential for office development, such as the London Docklands, and commence office projects. If these are seen to be successful, or sufficient other developers also think they will be, a rapid proliferation of similar developments can occur until a major office complex exists.

PROPERTY DEVELOPMENT, MARKET FAILURES AND PLANNING:

The anticipated volume and location of the demand for office premises are not the only factors that a developer will consider when deciding whether or not to develop office premises. In the first instance, the developer must anticipate that a development will be profitable (not necessarily a major consideration if the building is to be occupied solely by the developer), and secondly it must be possible to actually implement the development decision.

The financial viability of a property development will be determined by the expected rate of return on the development. In order that the development proceed it must be the case that the anticipated rate of return will be competitive with that available from other forms of investment, such as equities or government stocks. The expected rate of return will be determined by a combination of the expected rental to be derived from the completed development, the expected rate of growth of rental levels (which will determine the level of any capital gains to be made), and the total costs of

completing the development. The latter would include the costs of acquiring the site, professional fees, costs of construction, costs incurred through delays (for example, in having to obtain planning permission), and finance charges on the capital employed. Since the economics of property development have been discussed by, among others, Goodall (1972) and Balchin & Kieve (1982), it is not necessary to discuss the issue in detail here.

The second consideration arises from the fact that property development does not proceed in completely free market conditions, even in the United States of America. Rather, as McNamara (1985) suggests, every advanced urbanised society will tend, of necessity, to develop social institutions to outline or guide individual developments. In general, such guidance is achieved through some form of planning system, the importance of which has already been alluded to.

The rationale behind the adoption of planning control systems has been reviewed by Klosterman (1985). Planning and development have also been considered by Knox (1982) from an urban geographer's perspective. In the context of a capitalist economic system, Knox emphasises that subscribers to the different economic philosophies would see varying needs for planning control.

From the Marxist perspective, one of the major functions of the city "... is to fulfil the imperatives of capitalism ... Thus the spatial form of the city, by reducing indirect costs of production and costs of circulation and consumption, speeds up the rotation of capital, leading to its greater accumulation", (Knox, 1982, p198). The city, though, also incorporates the contradictions inherent in capitalist society, thus leading to friction and conflict. Capital's drive towards the accumulation of profit leads to the continual destruction and re-creation of spatial arrangements. This precipitates conflict both within capital (e.g. between large companies and small retailers), and between capital and other classes (e.g. between developers and existing residents). The local state has been seen as having a key role to play in managing and resolving conflicts. Knox (1982, pp199-200) suggests that key functions include:

> (1) the maintenance of capital accumulation, through the provision of infrastructure, easing spatial reorganisation through planning and urban renewal, education, and demand management (through public works and so forth to improve the stability of markets);
>
> (2) the reproduction of labour, through provision of, for example, public housing and the means of collective consumption (e.g. parks and libraries);

(3) the maintenance of order and social cohesion, through coercion (the police), welfare and social services, and legitimation (e.g. public participation, elections, consultation).

Most of these functions touch to a greater or lesser degree on the realm of planning, which thus has a key role to play in attempts to manage the operation of capitalism. The planning system, therefore, is not neutral but rather exists to ease the operation of the market. All the other possible objectives of planning may be pursued, but ultimately this will only occur in so far as such objectives are not unduly contrary to the interests of capital. Marxian theory suggests that only a completely new economic system could overcome the failings of capitalism, and allow the development of a society which served the interests of the whole population.

In the remaining spectrum of economic thought, the neo-classical economist would argue that there was a comparatively minimal justification for planning, whereas the neo-Keynesian would consider that there was a major requirement for planning and other controls. Even the neo-classical economist, who would consider that the free market generally provides an optimum solution to the problem of resource allocation within society, would probably accept that there are a number of possible failures in the market mechanism (after Klosterman, 1985), all of which are applicable to the property market.

(a) PUBLIC GOODS: The market mechanism breaks down in situations where it is not possible to exclude non-paying persons from deriving the benefits available from a good. An example would be the preservation of an important architectural facade.

(b) EXTERNALITIES: Externalities arise when the actions of one person have either positive or negative side effects on others not directly involved in the original action. The property market is particularly prone to such effects. An example of a positive externality would be the increase in value of a land holding arising from the construction of a nearby rapid transit station. A negative externality would occur when a new development blocks the view from an adjacent property.

(c) PRISONERS DILEMMA SITUATIONS: Such a situation arises when an individual's pursuit of his or her own best interest does not result in an outcome that is optimal for society. An example would be the case of the controversy over the 'Centrepoint' office building in London. In this case it was more profitable for the developer to allow the building to remain vacant than it was to lease it to a tenant (The capital value of a building depends on the anticipated rental income. At the time rental levels were rising rapidly, but obtaining a tenant

would freeze the rental at the then prevailing level until a subsequent rent review, perhaps after five years or maybe longer. Thus so long as the offices were vacant their capital value would rise in proportion to prevailing rentals, but such growth would cease when a tenant was found. The capital value could be released by mortgaging and re-mortgaging the building). Clearly such a situation is not in the interests of society in that it represents an unproductive use of scarce resources.

(d) DISTRIBUTIONAL QUESTIONS: The market may produce an efficient pareto optimal solution, but this does not imply that the final distribution will be in any way fair or socially optimal. In fact the outcome is heavily dependent on the initial distribution of resources, which in the case of property in the United Kingdom is, and always has been, extremely unequal.

These failures in the property market become particularly apparent and acute in the urban environment, since population densities are high and different properties are closely packed. It is therefore not surprising that planning control systems have developed. They have primarily addressed problems arising under (a) and (b), but not exclusively. The UK Community Land Act (1975) was aimed at distributional questions, but also included powers to prevent 'Centrepoint' situations. Some writers have seen planning as forming part of a system of urban management, in combination with developers, landowners, financiers and intermediaries such as estate agents (Knox, 1982). In this view planners sit at the interface between available resources and the client population. They function as gate keepers, attempting to allocate resources as efficiently as possibly, while minimising the externality and other problems mentioned above.

In the context of Great Britain planning controls have been progressively applied since the passing of the Housing, Town Planning Act of 1909, and have applied to almost all development since July 1st 1948. Since any office development in Britain, be it the construction of new premises or the conversion of existing premises to office use, will require planning permission, the planning system has the potential to exert a major influence over all aspects of office development. These would include its location, quantity, quality, external appearance and (indirectly) cost.

DEVELOPMENT CONTROLS - PROBLEMS AND CRITICISMS:

There has, however, been relatively little attempt to evaluate the actual effects of the development control function of the planning system on property development and office development in particular. Thus McNamara (1985) comments that "there are still too few studies which have examined in detail the role of central and local government in determining the general spatial reorganisation of land users in the city" (p3).

Development control has, nonetheless, become an important political issue in that it has frequently been argued that the system acts to raise development costs and reduce the level of development below that which would otherwise prevail. Much of what has been published constitutes opinions rather than being the result of substantive research. Thus Underwood (1981, p183) comments: "Although there has been considerable criticism in recent years of the planning system, much of which focuses on development control, very little has been published which can be said to constitute a considered review of development control practice."

Dissatisfaction with the effects of the planning system in practice and development control in particular became an issue at least as early as the late 1960's. Thornley (1991) has explored in detail the links between the emergence of New Right economic theory (based especially on the work of Friedman and Hayek), the emergence of Thatcherism as a political force in the UK, and criticism of the planning system. It is not proposed to rehearse this discussion here, but rather to examine some of the specific issues that have been raised in connection with planning and development control. The discussion relates primarily to the UK, and the criticisms come from a range of political directions.

The planning system and the philosophy behind it were criticised by Webber in two articles published in 1968 and 1969. It was argued that town planning "... has never really been oriented to future change. Despite the long horizons and the utopian traditions that have marked this field throughout its history, it has been guided by a future oriented ideology that has looked backwards" (Webber, 1968, p192). Thus the plans produced have, according to Webber, failed to anticipate the development of a post industrial society and the changes in urban form that accompany it.

He goes on to argue that planning systems should be modified into a form that he terms 'Permissive Planning', which would have more explicit goals, improved

monitoring of their achievement, and greater reliance on market forces and incentives. He suggests that:

> "The most difficult questions attach to prohibitions on individual free choice in the name of short run public benefits. Controls of this sort are popular among city planners such as those applying to the use of automobiles and the holding of private land in an undeveloped state; ... I can find no justification for elitist constraints of these kinds; I can see only the erosion of personal freedom at the end of that path. Again, if we could indeed predict confidently that shifts in behaviour would lead to improvements in well being, it would be far better to derive incentive schemes that encourage individuals rather than to apply the crude administrative regulations to which we have become addicted" (Webber, 1969, p293).

These two articles drew a strong rejoinder from Heywood (1969) who considered that what was required was not more permissive planning, but rather greater use of scientific techniques and the social sciences to make planning more independent of the market and better able to identify and achieve public needs. Nevertheless, criticism of planning and development control has continued and grown. In an analysis of the post war British development control system Harrison (1972) decided that, among other characteristics, there had been a use "... of development control as a protective measure independent of social and economic objectives and costs" (p259). He concluded that as planners "... cannot usually employ sophisticated methods to evaluate the impact that (their) restrictions have on the market and on social welfare (,) there is inevitably a conflict in which private definition of the optimum solution is opposed by the planner's notion of the public interest" (Harrison, 1972, p260).

Further, he considers the extent to which the costs and benefits of planning decisions are taken into account and indicates that in most instances only the most obvious costs and advantages are likely to be considered. In Harrison's view:

> "Costs may often be imposed directly upon the consumer in order that some standard (of development) should be achieved. Where there are no provisions for a financial policy or a subsidy arrangement to support these standards the consumer may suffer. In development control the imposition of many standards implies a cost of this kind. One example might be the imposition of aesthetic standards for housing design.
>
> The point also applies to broad control policies such as green belts. Where gains to health and safety are apparent paternalism may be justified, and Government policy might consciously impose costs. Usually, however, the effects do not appear to be considered in this conscious way" (Harrison, 1972, pp270-271).

Harrison concludes that the present planning methods were thus at least partly detrimental and not especially effective at influencing private development decisions in the best interests of all. He suggests that "in order to achieve better results the system must develop mechanisms and incentives for influencing the important variables rather than acting as a negative constraint" (p272).

The suggestion that the development control system has functioned largely in a negative sense, i.e. by reducing or containing the level of development, has been extensively examined by Hall et al (1973a and 1973b) in their examination of the English and Welsh planning system from 1947 to 1968. Hall et al commence by considering the objectives of the 1947 planning system. These are postulated as in the following list.

(i) National Scale.
  (a) Maintaining the existing regional balance.
(ii) Regional - Local Scale.
  (a) Urban containment.
  (b) Protection of the countryside and national resources.
  (c) Creation of self contained and balanced communities.
  (d) Prevention of scattered development.
(iii) Local Scale.
  (a) Enhanced accessibility to urban functions.
  (b) A high level of physical and social environment.

They argue, though, that "... there was a deeper and more general social objective, sometimes explicitly voiced, more often implicit in the statements of the planners themselves: the control and guidance of change in the interest of social stability and continuity with the past" (Hall et al, 1973b, p39). They consider that the most important effect was "... to give the new planning system a pronounced preservationist bias" (Hall et al, 1973b, p52).

When examining the 1947 planning system in operation, Hall et al suggest that:

> "The market logic under which the developers act responds more quickly to the changes brought about by population growth (over the study period 1947 to 1968) than does the planning logic under which the planners act. In areas where there is unanticipated growth, therefore, conflict between the planners and the businessmen can be expected to be the norm in the development control activity of the local authorities" (1973b, p101).

They continue that:

> "Logically, it would be expected that developers might amend their location and perhaps their investment activities in response to constant planning refusals for new development. An important question for research, therefore, ... , is to what extent businessmen have altered not

> only their decisions about where to locate their enterprises in Britain in response to the planning system, but more important for the economy as a whole, to what extent they have decided not to invest in economic activity as a result of negative development control experiences" (1973b, pp101-102).

The authors clearly considered that development control could have led to reduced economic activity, since they state that "... delays frequently occur which may cause a project to cross the narrow divide between viability and failure" (1973b, p176).

Dissatisfaction with the development control system generated sufficient political pressure during the property boom of the early 1970's so as to lead to a Department of the Environment/Welsh Office review of the system. The resulting Dobry Report (1975) concluded that most of the problems and criticisms had arisen because of the special circumstances of the boom (a steep rise in applications and appeals). Various recommendations were made for improvements, including a division of applications into minor / uncontroversial schemes with a fixed 42 day decision period, and major / controversial applications with a three to six month decision period. Various simplifications were also suggested, and it was argued that public involvement should be more limited and selective. Delays in planning appeals were found to have been the most significant problem, but Dobry considered the system should be retained though with some improvements. Most of the recommendations for changes were rejected by the Government (House of Commons Expenditure Committee, 1977).

Concern over delay continued, however. Pilcher (1975, p18) noted that delay was often so critical to the success of development schemes that "... the urgent need is to reduce, ... , the time taken". The following year the Environment Sub-Committee of the House of Commons Expenditure Committee (1977, p19) decided to examine the planning and development control system "... with a view to identifying reasons for delays and the resource costs that such delays create." They found the evidence presented to be conflicting: developers complained of intolerable delays and increased costs, communities and amenity societies thought the decision period too short and the process too secretive, while local authorities felt it was better to make a good decision than a quick decision. All agreed that the main problem was the larger, more substantial applications, thus covering probably the majority of new build office developments. Developers particularly complained of excessive control of details and the imposition of aesthetic standards, public participation, delay and increased costs due to alterations required by the planners. Local authorities saw things differently since they did not see delay as a major problem. Applications that took a long time usually did so because they involved a policy conflict. They felt it would be easy to

simply refuse such schemes, but preferred to try to negotiate a solution. The committee concluded that in a small proportion of cases the time taken to reach a decision was "... excessive by any criterion" (p34), and that such delays could either postpone or prevent development. In consequence various recommendations were made, including time limits on consultations, some further delegation of powers, more standardisation of procedures, and greater guidance to local authorities on such matters as aesthetic controls.

Lichfield (1979) reviewed the state of the planning system. He concluded that it was "... the mode of operation which is at issue ..." not whether or not there should be planning. He felt that although development control was the cornerstone of plan implementation, it had received inadequate attention and had become too bureaucratic. Davies (1980) also considered that development control had been little studied. He found that criticism of development control related mainly to delays and attempts to cover unnecessary details, especially matters of design and aesthetics. He concluded that much of the criticism was based on assumptions that planning should only be concerned with land use and location of developments, should be based on objective technical criteria and hierarchical (from Structure Plans to Local Plans to decisions). He challenged these assumptions and argued that planning had and should evolve to cover other issues, such as employment, pollution, and the protection of the rights and amenities of individuals. He concluded that development control could be "... cumbersome, expensive, rule bound and arbitrary. But it has the strengths of flexibility, sensitivity and access for all interested parties" (p15), and that the challenge was to improve its efficiency.

With the election of a Conservative Party government in 1979, the planning system came under greater attack from both outside and within central government. Underwood (1981) examined the issues. Complaints were continuing to be voiced by the major applicant interests, and the new Secretary of State for the Environment, Michael Heseltine, responded in September 1979 by attacking delay and inefficiency in the planning system, unnecessarily detailed controls and inattention to costs. All of which, he claimed, meant that jobs that might otherwise have existed did not materialise. Some changes were made, such as alterations to broaden the scope of permitted development (i.e. not requiring planning permission), warnings to local authorities and the creation of Enterprise Zone and Urban Development Corporation areas with more limited planning control. Underwood concluded that delay was still a major issue, but complex and inadequately researched. He suggested that many of the conflicts arose because of ambiguity as to what was the proper scope of planning, and

the fact that most plan implementation was via the negative regulatory function of development control.

Pountney and Kingsbury (1983b) set out to remedy some of the neglect of development control through a study of the views of applicants, most of whom were involved with larger scale projects. Two thirds of those interviewed said decision times had exceeded the allotted eight weeks, and that the financial costs could become a source of resentment in these circumstances. Many felt that outline planning applications were becoming less useful (they cost another fee and took nearly as long as a full application), that small but well-organised groups were given a disproportionate role through the public participation system, and that conditions imposed on developments were too expensive and / or inappropriate. All of the applicants tried to avoid appeals due to the costs and delays involved. The authors suggested that the position could be improved if permission was deemed to be granted if no decision had been made within eight weeks of lodging an application. They also argued that design details / aesthetic controls should be excluded from consideration, amongst other things.

The official view was restated in the White Paper 'Lifting the Burden' (Minister without Portfolio, 1985). It was accepted that the UK planning system "... imposes costs on the economy and constraints on enterprise that are not always justified by any real public benefit in the individual case. It can cause delay and uncertainty even where applications are eventually approved," (p10). The Government went on to state that their policy was to simplify and improve the efficiency of the system, while being equally concerned to protect the environment, and historic areas. Planning was not, however, "... to be regarded simply as a means of preventing change," (p10). A variety of proposals were made, including simplified planning zones and a greater presumption in favour of development. Meanwhile, a consultant's report (Scottish Development Department, 1985, p3) noted that "a particular concern expressed in Scotland is that the growth of small and medium-sized businesses might be inhibited by planning control."

Limited further changes have been made to the system as a result of the White Paper and other initiatives. These included the downgrading of the contents of development plans to be only one consideration among many to be taken into account in assessing planning applications (Thornley, 1991). There was also a new General Development Order (in 1988) which removed some controls on commercial and industrial changes of use, and a new Town and Country Planning (Use Classes Order) (in 1987) which combined offices and light industry into a new business class. Thornley concludes

that although the basic structure of the system might appear similar to that which operated prior to 1979, there has been a significant reorientation of the system in favour of less control, less public participation and a greater role for market forces. The collapse of the property market in the early 1990's has drastically curtailed property development, especially in the dominant south-east of England region, with a consequent abatement of political pressure. It is, however, likely that this will only be temporary.

CONCLUSION:

It has been seen that offices and the employment that they represent have become increasingly important in the national economy and especially in the towns and cities. Geographic research into the office sector focused initially on the demand for office premises as being the key factor in determining the spatial pattern. Gradually, though, it has been suggested that the demands of office sector organisations are, in reality, quite tightly constrained by the supply of office premises. The role of the developers of office space is thus of very considerable importance in determining the location and growth of the office sector, and thus so are the factors that exert influence on these people and organisations.

In this context one of the important influences on property developers, and hence on the supply of office premises, is the existence of controls on development. In the UK these primarily take the form of the planning system. Comprehensive planning was introduced in 1947, but particularly since the 1960's has become a subject of controversy. It was seen how the increasing power of New Right economic thought was mirrored by growing criticism of planning and development control. This was increasingly translated into practical efforts to alter or restrict the planning system after the election of the Conservative Party to power in 1979.

State planning controls generally were held to be essentially undesirable by those who considered that the market knew best, but the UK Government has not taken such a radical position. Planning has continued to be seen as necessary, but delay, inefficiency, excessive bureaucracy and controls, interference in matters outside the 'proper' scope of planning, planning objectives and inattention to the full costs and implications of decisions, have all been issues. Of these, delay caused by the development control system has been a recurrent and perhaps dominant issue.

The rationale of the study, and the specific aims of the thesis are set forth in the following chapter. This includes the choice of Edinburgh and Dublin as the study area. That is followed by the essential legislative background as applicable to the study period, as well as a discussion of the policies pursued by the Planning Authorities in each city. Thereafter the data sources, collection and processing are described. This includes the identification of deficiencies in the data, and the method used to construct the Geographical Information System (GIS) necessary for the analysis. Chapter 5 contains the first part of the detailed study of the development control systems in action. This comprises an analysis comparing the whole of Edinburgh with the whole of Dublin over the full study period. This is succeeded by the second part of the detailed study. In this the data are firstly examined on a year by year basis to identify temporal trends and patterns, and secondly on a spatial basis to identify the locational patterns and differences. The most significant findings to have arisen during the course of the detailed analyses are then summarised in Chapter 7. This is done in terms of the specific aims of the thesis, so that the conclusions can be identified and interpreted. The thesis concludes with a statement of the principal results, and any relevant limitations. Some implications for the operation of the planning systems are suggested. The results are also used to draw inferences as to the possible effects of the reforms that have been proposed for the UK planning system. Finally some suggestions for future research are made.

CHAPTER 2

STATEMENT OF AIMS AND OBJECTIVES

INTRODUCTION:

We have seen that offices are an important sector of the economy and have been the subject of considerable research. The importance of property developers in determining the location of office developments has been noted, as has the fact that the existence and effects of planning controls is also a significant factor. The following discussion opens by considering the purpose and rationale of the study. This is followed by the justification for selecting the area and time period of the study. Finally, the broad aim of the study is translated into a number of specific and manageable subjects anticipated to be applicable and relevant to the study area. The detailed hypotheses and objectives are listed as appropriate.

THE RESEARCH OBJECTIVE:

The growing importance of the office to both the economy and the city was discussed in the previous chapter. The importance of the supply of office space in determining the location and growth (in particular locations) of the office sector was also highlighted. In the UK context, however, planning controls have been applied to almost all forms of office development, whether involving new construction or a change of use, during almost the entire post-war period. The development control system was considered to have at least the potential to influence the supply of office premises, through its effects on location, quantity, quality, external appearance and cost.

Although there has been relatively little attempt to evaluate and quantify the effects of development control either in general or on the office sector, it was shown that the system has never-the-less become politically contentious. UK economic growth slowed in the decades of the 1970's and 1980's, coincidentally with the development of monetarist economics leading to a revival in intellectual and especially political interest in the 'free market'. The UK planning and development control system has been seen by free market adherents as being a largely (sometimes totally) unnecessary restriction on the development process, and thereby as a distorting influence on the property market as a whole. It was seen that development control has been

specifically criticised for unduly restricting development activity, imposing delays, interfering with design, and increasing costs. All of these are seen as potentially able to cause a reduced level of development activity at a higher cost than would otherwise be the case, contributing to an overall reduction in economic growth and employment.

The thrust of such arguments may be summarised in the form of the following broad hypothesis: namely that the UK planning system has significantly restricted the growth of the office sector and thus the national economy, in comparison to what might have prevailed in the absence of such controls. This does, in fact, encompass two elements, the first being that the UK planning system has been restrictive of office development compared to an uncontrolled environment, and the second being that restrictive planning controls on the physical development of offices will reduce the growth of the office sector.

On the other hand, the purpose of creating a planning system was not to restrict development activity or national economic growth. On the contrary, planning and development control was established with the objective of generating '... the greatest possible measure of individual well-being and national prosperity' (Cullingworth, 1985, p15). The benefits included minimising the effects of the market failures discussed in Chapter 1, but in the UK context also specifically covered co-ordinated post-war reconstruction, adequate provision of social infrastructure, preservation of agricultural land, improved transport, environmental and aesthetic quality, and a proper balance of population and employment (Cullingworth, 1985). The existence of a planning framework may be advantageous to property developers in that it may improve the information available to them (e.g. by identifying planned infrastructural investments, or development sites) and thus provide for better co-ordinated and more rational (ultimately more profitable) decision making. In addition, Thornley (1991) has argued that the public has a strong interest in the structure, appearance and functioning of the built environment, and that one of the current main functions of planning and development control is to represent this interest, through such activities as public participation.

The hypothesis above, though, implies that the planning system may also impose considerable private and public costs. These may include higher development costs due to planning delay (or perhaps even missed opportunities), higher costs due to inappropriate aesthetic controls, reduced profitability due to sub-optimum location, reduced production of office space and thus higher rental costs, and reduced growth and employment in the office sector due to the higher cost of premises. Since the UK has had a record of relatively poor economic performance since at least the late

1960's, during a period when planning and development controls have been comprehensively applied, it is important to be able to compare the costs and benefits of planning.

Even a cursory evaluation of the advantages and disadvantages of planning, however, would constitute a major research project. Many, if not most, of the costs and benefits may be either intangible, difficult to measure or open to subjective judgement. As an illustration, how can the benefits of a preserved historic area be measured? What is the actual monetary cost or benefit of siting a development in one area as opposed to another? What is the value of public participation? How can missed development opportunities be identified and evaluated?

Given these difficult issues, and in the light of the limited resources of the present research, it was resolved to make the study more narrowly focused. It was decided to concentrate on the office sector in view of its economic importance, and the fact that planning controls have been a particular issue among office developers. Even in the limited context of office development a full investigation of the costs and benefits of planning was beyond the scope of the project. The intention is thus to focus on establishing whether or not the UK planning system has genuinely restricted the level of office development, thereby imposing a significant cost on the national economy. The benefits of planning will not be evaluated as such, but will be considered to some extent during the discussion. The objective, therefore, is to make a substantive contribution to the evaluation of the effects of planning, with a particular focus on the possible costs.

The remainder of the chapter deals with the research strategy adopted. This includes the choice of study area and period, and the detailed aspects of development control on which it was decided to concentrate.

RESEARCH STRATEGY AND CHOICE OF STUDY AREA AND PERIOD:

The effects of the planning system on office development in the UK could be investigated by means of a random sample of all office related planning applications. There is, however, no single list of such applications from which a sample might be drawn. Compiling such a sampling framework of potentially hundreds of thousands of planning applications from the several hundred local planning authorities, and thereafter identifying those which involved offices, would have been completely impractical. It was, therefore, decided that the research could be better undertaken by

means of a case study. Case studies have been defined by Mitchell (1983, p192) as '... a detailed examination of an event ... which the analyst believes exhibits ... the operation of some general theoretical principle'. While it might be argued that the use of a case study limits the possibilities for extrapolation to the whole population, namely all office development, Mitchell argues that this is not the case. He states,

> '... the process of inference from case studies is only logical or causal and cannot be statistical and that extrapolability from any one case study to like situations in general is based only on logical inference. We infer that the features present in the case study will be related in a wider population not because the case is representative but because our analysis is unassailable', (Mitchell, 1983, p200)

The use of a case study approach, therefore, allows the research to be contained within a manageable scale while still facilitating the identification of general theoretical principles.

The particular form of case study chosen was a comparison of the effects of development control on the development of the office sector in two cities. One was to be selected such that it represented an example of a tightly controlled and restricted development environment, and the other an example of as lightly regulated an environment as possible. The second case would thus be used as a proxy for free market office development, and function as a control against which to assess the performance of the first case. In an ideal experiment all of the variables other than the planning environment, such as population or national economic factors, should be identical for both of the chosen cities. In reality, though, such a neatly controlled research design is impossible to realise in the real geographical world. Many factors vary simultaneously between cities, regions and countries. The best that can be done in practice is to find two cities with contrasting planning regimes, and as few other differences as possible.

The initial investigation identified Edinburgh as a good example of a city where the planning system had been subject to criticism. The development control system was generally perceived to be strict, restrictive of new office development in particular and in favour of conservation. Examples of the views expressed include:

> "The property scene in Edinburgh now is overshadowed by an acute shortage of good quality contemporary office space. ... restrictive planning policies allied to a shortage of suitable sites for development ... have resulted in the supply of new properties being so restricted that organisations with requirements for offices in the city centre, or on its periphery, have very few properties to consider," (The Scotsman, 25th March, 1986).

> "Edinburgh is seen as being less responsive than Glasgow when it comes to encouraging office development within the city centre." Charles Guest (of chartered surveyors Kenneth Ryden & Partners) "... believes that physical and planning restraints are unlikely to permit anything other than the odd infill development in the central core of the city," (The Scotsman, 30th April 1987).

> "What is ... very apparent are the very real difficulties which many prospective developers have spoken to me (Bill Binnie of Richard Ellis) about concerning the problems of overcoming current planning restraints. A number of developers are said to be on the point of abandoning even trying to obtain planning permission for office developments in and around Edinburgh because of delays and difficulties. ... In addition to having to satisfy the extremely demanding requirements of the planning authorities, developers and builders also have to defer far too often to a powerful and unwieldy local environmental lobby," (The Scotsman, 5th May 1987).

Edinburgh contained an important and growing office sector. Moreover it had the advantages of being easily accessible and of a manageable size.

Various UK candidates were considered for the city against which Edinburgh could be compared, but it was decided to select Dublin in the Irish Republic. International comparisons can often be problematic, but in this case it was considered that the circumstances were almost ideal for the present purpose. By virtue of some similarities in their historical relationship to England, Scotland and Ireland have a number of similarities, but more importantly have very analogous planning legislation and development control systems (as will be discussed in the next chapter). Despite the similarities in the planning legislation, though, it appeared that in terms of the actual operation and effects of the system, Dublin was close to the opposite end of the spectrum to Edinburgh. It appeared that a very substantial amount of redevelopment had occurred, that conservation was a low priority, and that development control was permissive. Some views of Dublin planning and development control include:

> The motivation for planning has really been to facilitate development. There has thus been a different attitude to regulations and enforcement than in the UK. The maximum effect of planning has been to move the locations around somewhat. (Extracted from the notes of a meeting with Dr Michael Bannon, University College Dublin.)

> "When I went through the list of my memories, 50 per cent of the (buildings) I liked had disappeared, to be replaced by the most mediocre, unaesthetic, architecturally inarticulate buildings I've ever seen in my life. They are a scandal. They can only be the product of

> back-handers, political corruption and moral degradation," (Bob Geldof, quoted by McDonald, F, 1985, p3)

McDonald (1985) has extensively reviewed the history of planning and office development in Dublin. His work strongly suggests that office (and other) development has proceeded with relatively minimal constraints, that a very substantial amount of such activity has occurred, and that much of the activity has been of a speculative nature.[1] He has also drawn the comparison with Edinburgh, since he notes that part of the reason for the extensive redevelopment of Dublin being permitted was that:

> "Unlike Edinburgh, where well-heeled professional people actually lived in the city and had enough political clout to secure its preservation, Dublin was suffering from an acute lack of indigenous defenders," (McDonald, 1985, p7).

Although Dublin thus appeared to be a good choice as an example of a city in which office development was occurring in a relatively permissive planning environment, it was necessary to assess to what extent Dublin was similar to Edinburgh in other respects. As was noted above, the comparison would most effectively isolate differences due to the development control system if the two cities were otherwise as similar as possible.

Edinburgh is the capital city of Scotland, although at the present time it contains only certain central government functions, with the remainder located in London and other European Community locations. Ultimate political control, and part of the associated bureaucracy, is thus located outwith the city. Nonetheless it has many of the characteristics of a national capital, and is also a major financial centre. It thus contains a large and important service sector, and hence considerable office employment. Dublin, on the other hand, is the capital of the Irish Republic, and as such contains a similar range of functions to Edinburgh. Dublin, however, is the seat of the government and legislature, so the city has a larger central government sector than Edinburgh. To a large extent, though, the larger administrative sector in Dublin is compensated for by a relatively smaller financial sector than in Edinburgh. The two cities are thus very similar in terms of total office employment, as is shown in Table 2.1. In terms of size the two cities are also quite similar, although complicated by the use of rather different administrative units. Edinburgh is largely over-bounded as the

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[1] A speculative office development is one that is not developed from the outset for a specific user, but is instead to be offered for let or sale at some point subsequent to the initiation of the development.

City of Edinburgh District includes almost all of the contiguous built up area plus a substantial area of green belt. Dublin County Borough comprises the central city, inner suburbs and some areas further out, but a substantial portion of the contiguous built up area of the city lies in either Dublin County or the separate borough of Dun Laoghaire. Table 2.2 contains a variety of population data, showing that Dublin has a larger population than Edinburgh, but that the difference is sufficiently small as to consider them broadly comparable. It should be noted, though, that Dublin has been growing more rapidly than Edinburgh, and the same could therefore be expected to be true of the office sector.[2] There are various reasons for the more rapid growth of Dublin, which include a later rural to urban migration in Ireland than in Scotland linked to more recent industrialisation, and the growth of government administrative functions following independence in 1921.

TABLE 2.1
Office Sector Employment in Edinburgh and Dublin

AREA	EMPLOYMENT	DESCRIPTION
Dublin County & Dublin County Borough	100,391	1971 'office' jobs. NESC, 1977.
Central Area of Dublin	72,000	1972 office workers. Bannon, 1972.
City of Edinburgh	69,334	Office workers in premises registered under the Offices, Shops and Railway Premises Act. Bostock, 1973.
City of Edinburgh District	91,900	Insurance, Banking, Finance, Professional, Scientific and Public Administration jobs. Lothian Regional Council, 1977.

In the context of planning, an additional and important similarity is that both cities have or had historic central areas comprising a medieval core with adjacent extensive Georgian suburbs. The Georgian areas date from roughly 1750 to 1830 and are comparable in size. They are also architecturally quite similar. Appearances differ, though, since sandstone was the dominant material used throughout Edinburgh and brick in Dublin.

[2]Note also, though, that the populations of both Scotland and the Republic of Ireland have been largely static over the last two decades.+

TABLE 2.2
Population of Edinburgh and Dublin

DUBLIN COUNTY BOROUGH		EDINBURGH DISTRICT	
Area	115km^2	Area	265km^2
1971	567,866	1971	463,000
1981	525,882	1981	425,256
DUBLIN CO. & CO. BOROUGH		**LOTHIAN REGION**	
Area	922km^2	Area	1,755km^2
1971	852,219	1971	731,850
1981	1,003,164	1981	723,108
GREATER DUBLIN		**GREATER EDINBURGH**	
1971	801,298	1966	723,000

Notes: Greater Dublin comprised Dublin and suburbs plus Dun Laoghaire. Greater Edinburgh comprised East Lothian, part of Mid Lothian, the City of Edinburgh and Livingston. Dublin data derived from the Census of Ireland, 1981. Edinburgh data derived from Census 1981 Scotland, except the figure for Greater Edinburgh from Buchanan & Partners, (1972).

Finally, similarities in the planning legislation meant that almost identical data on planning applications could be collected relatively easily. This will be further discussed in Chapter 4.

For all the above reasons it was decided to select Dublin for the comparison. Since data on the development control system is collected for Planning Authority administrative units, these were the areas used in the study. Thus the Edinburgh study area comprises the City of Edinburgh District, and the Dublin area comprises Dublin County Borough.

The study period required to be adequate to identify the longer term pattern, but was constrained by the resources available for data collection and the increasing difficulty of obtaining complete data for older applications. It was also preferable to use a period in which Edinburgh planning policies and development control were considered to have been reasonably stable. Following an initial period of post-war enthusiasm for comprehensive and large scale redevelopment (see Abercrombie & Plumstead, 1949), the public reaction to those developments actually implemented (e.g. the St. James Centre and the University of Edinburgh George Square project) and the planning blight associated with those awaiting finance (e.g. the inner ring road), led to the establishment of a strongly pro-conservation policy from the early 1970s onwards. McNamara (1985) has reviewed these developments which led to the adoption of a central area office restraint policy in 1974. It was therefore decided to use the ten year period from the 1st of January 1976 to the 31st of December 1985.

The latter date being the most recent year for which complete development control data was available at the time when data collection commenced.[3]

RESEARCH AIMS IN DETAIL:

Although it proved possible to select two suitable study areas for the comparison, and an adequate study period, no simple method or test was identified to evaluate the primary hypothesis, namely that the UK planning and development control system has significantly restricted the level of office development compared to what would have occurred in the absence of such a system. It was originally proposed that the research would consist of two parts. The first would constitute a statistical analysis of the development control system, and the second questionnaires or interviews of a sample of developers active during the study period. Unfortunately the second part had to be abandoned as too ambitious.[4] In practice, therefore, the study has concentrated on the development control record. The hypothesis has been redefined to be that over the period 1976 to 1985 the planning and development control system in operation in Edinburgh has significantly restricted the level of office development, or raised the costs, compared to what occurred in Dublin. The result of the evaluation can thereafter be used to infer the position in respect of the UK generally.

Evaluating the hypothesis, though, depends on what is meant by restricting office development. This could be narrowly interpreted to mean simply a higher level of refusals of planning permission, but the discussion in Chapter 1 indicated that the concerns voiced about planning have covered a much wider spectrum of issues. It was therefore decided the study should concentrate on the level of refusals of planning applications, the level of refusals of planning appeals, the time taken to process applications and appeals, the pattern of location of applications, the nature of planning conditions imposed on successful applications, and the importance and effects of conservation provisions.

It is thus considered that Edinburgh can be considered to have been more restrictive than Dublin if the following hypotheses are true.

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[3]In some cases it could take two years before the final outcome of an application was known.
[4]The fact that it was proposed explains why full details of applicants names and addresses were collected for the final three years worth of planning applications.

A) That a lower proportion of applications involving office development were granted planning permission in Edinburgh than in Dublin.

B) That a lower proportion of planning appeals were granted permission in Edinburgh than in Dublin.

C) That the total proportion of applications granted permission after taking appeal results into account was lower in Edinburgh than in Dublin.

D) That the average size, measured in terms of gross floor area, of Edinburgh office developments was smaller than that in Dublin.

E) That planning applications and appeals have taken longer to process in Edinburgh than in Dublin.

F) That the location pattern of proposed office developments in Edinburgh was significantly different to that in Dublin, principally with a more decentralised distribution in the former.

G) That planning conditions have been more widely used in Edinburgh, and were of a more onerous type than was the case in Dublin.

H) That building conservation provisions have been more pervasive and had a greater effect in Edinburgh than in Dublin.

These hypotheses concentrate on different aspects of the topic. Hypotheses A, B and C relate to a specific measure of restrictiveness of Edinburgh relative to Dublin, though they also have implications for costs imposed on developers or office users. Hypothesis D relates to restrictiveness, but also more explicitly to costs and effects on the end users of office space. Hypothesis E has direct implications for costs of development (e.g. land holding costs), while to some extent also reflecting restrictiveness. Hypothesis F relates to the degree of spatial control exercised by the planning system, but again has cost implications. These might include reduced development profits. Hypothesis G and H have a relatively direct bearing on cost, for example by imposing a higher (more expensive) quality of development, but also have a bearing on restrictiveness.

It is not necessary for all of the above hypotheses to be true simultaneously in order to conclude that Edinburgh has been a more restrictive higher cost office development prospect than Dublin, but if not then an assessment will have to be made as to the combined degree of restrictiveness or cost. In the conclusion of the study the findings will be considered in the light of the possible benefits that may also have accrued, although these could not be quantified as part of the present project.

CONCLUSION:

The present study is set in the context of the hypothesis that UK planning and development controls have been detrimental to economic growth, but the time and resources available meant that it was not possible to evaluate this statement at a national scale. The study instead has the aim of contributing to the overall understanding of the operation of the planning system by focusing on the functioning of the development control system. The objective is thus to be able to infer whether or not the UK development control system has significantly restricted or increased the costs of development. This could possibly lead to the costs of the planning system coming to outweigh the benefits it aims to secure. The objective is to be achieved through a comparative study of office development in Edinburgh and Dublin over the period 1976 to 1985. Edinburgh has been considered to be an example of a city exercising tight control over office development, while Dublin has been seen to be the opposite. The case study will be used to compare the results of an apparently more restrictive planning regime, including some aspects indirectly measuring costs, with an apparently permissive system. The ultimate aim, therefore, is to identify and explain the actual differences between the two systems, and to achieve some assessment of the costs and benefits of planning control.

Before proceeding to the analysis, the details of the planning systems in operation in the two study areas need to be reviewed, as do the policies of the two Planning Authorities. These will be considered in the following chapter, before moving on to examine data collection and methodology in Chapter 4, and the results in Chapters 5 and 6.

CHAPTER 3

SCOTTISH AND IRISH PLANNING CONTROL SYSTEMS

INTRODUCTION:

> "Planning in (the Republic of) Ireland is based on laws that are deceptively similar to those of England and Wales (sic), but there are in fact a number of distinctive features," (Nowlan, 1984, p103).

Before it is possible to analyse the effects of the development control system, it is necessary to know the main components, and the general structure of the planning system of which it is a part. This is also necessary to understand some of the criticisms that have been made of it. As suggested by Nowlan above, the actual legislation in force in Scotland and the Republic of Ireland is very similar, but it will be seen that the Irish system has a number of important differences. The discussion will show that these effectively make it more difficult for planners in Ireland to control development effectively. It will also be seen that the system thus has certain characteristics that have been proposed for adoption in the UK, and which were discussed in the two preceding chapters.

The discussion has two components, namely the relevant primary planning legislation in both Scotland and Ireland (including statutory instruments), and the specific policies adopted by the Edinburgh and Dublin local planning authorities. It should be borne in mind that the material described is mainly that likely to be of relevance to office development. Since the study period of the present work runs from January 1976 to December 1985, legislation and policies in force prior to that period are described in so far as they remained in effect after 1976, or illustrate the gradual evolution of the planning and development control system.

In consequence the chapter does not constitute a full statement of either planning law in force at any particular time or the detailed policies approved by the Edinburgh and Dublin local authorities. Further detail can be obtained either by reference to the relevant legislation, local development plans, or, in the case of the UK, to an authority such as Cullingworth (1985).

NATIONAL PLANNING LEGISLATION - SCOTLAND:

A comprehensive planning and development control system was introduced in Scotland by the first post-war Labour government through the Town and Country Planning (Scotland) Act of 1947. The main features of the Act have remained in force since then. The Act provided for the establishment of Local Planning Authorities (LPA's) to administer planning and development control. The Burgh Council was the designated LPA for Edinburgh, and was required to produce a statutory development plan for the city to indicate such items as road proposals, proposed public buildings and Comprehensive Development Areas.

As from July 1st 1948 the right to develop land was nationalised. Thus it became necessary to obtain permission to carry out any development of land, where development was defined as "... the carrying out of building, mining, engineering or other operations in, on, over or under land, or the making of any material changes in the use of any building or other land" (Town and Country Planning Act, 1947, section 10(2)). Normal maintenance and most demolition were excepted. The Secretary of State provided for the grant of planning permission by making a General Development Order (GDO) and such order could either itself grant planning permission for specified classes of development or provide for the LPA to make the decision in all other cases. In practice almost all classes of significant development have been subject to LPA control, but the GDO has been amended several times since 1979 with the general effect of weakening control (Thornley, 1991).

Where planning permission was refused or granted subject to conditions, applicants could appeal to the Secretary of State. If an appeal was dismissed then in some rather limited circumstances the LPA could be required to purchase the applicant's interest in the land. If the LPA failed to determine a planning application within the 'Prescribed Period' (set at two months) then it was deemed to have been refused and the applicant could appeal to the Secretary of State. In practice most applicants have not availed themselves of the provision and have been prepared to wait for the LPA to make a decision, possibly because appeals have usually taken much longer.

Certain classes of development were designated as 'Excepted Development'. These included the rebuilding of any building in existence on July 1st 1948 or the enlargement of such a building so long as the cubic content in either case was not increased by more than one tenth. Planning permission for such Excepted Development could not normally be refused except by the Secretary of State in a

GDO. In such an instance the LPA would be liable to compensate the owner for any devaluation incurred.

An LPA was entitled to revoke or modify any planning permission at any time prior to the execution of the development in question. The authority would, though, be liable to compensate the owner for any loss or damage resulting therefrom, with the result that in Edinburgh the provision has been largely unused. In the event of a breach of development control the LPA could serve an 'Enforcement Notice' requiring the rectification of the breach at the expense of the owner or lessee of the land.

Two conservation provisions were introduced, namely 'Tree Preservations Orders' and 'Building Preservation Orders', both subject to confirmation by the Secretary of State. A Building Preservation Order was intended to restrict the demolition, alteration or extension of a building of special architectural or historic interest. The LPA was given the power to compulsorily acquire any building subject to a Building Preservation Order if it was not being properly maintained. In order to guide the LPA's in the execution of their preservation function, the Secretary of State was empowered to prepare a list of architecturally and historically important buildings. Where a building was so listed (i.e. a 'Listed Building') no alteration could be made to it unless at least two months written notice was given to the LPA.

In the case of development by a 'Statutory Undertaker' (i.e. a utility authorised by statute such as the railways, electricity industry, BBC or the Atomic Energy Authority) requiring the consent of a Minister other than the Secretary of State, that Minister could also direct that planning permission would be deemed to have been granted. If a local authority wished to undertake development and the authority was also the LPA then it was required to apply to the Secretary of State for planning permission.

The Act also introduced an elaborate compensation scheme for the nationalisation of the right to develop land. The scheme was never fully implemented and is thus irrelevant. There was also to have been a scheme of 'Development Charges' to capture for the community some portion of the increase in land value created by a grant of planning permission, but again it was not fully implemented.

The Town and Country Planning Act of 1953 introduced by the new Conservative administration abolished the above compensation scheme and Development Charge scheme. Also in the same year the Historic Buildings and Ancient Monuments Act provided for the establishment of the Historic Buildings Council for Scotland that,

amongst other functions, was to advise the Secretary of State on the preparation of the register of Listed Buildings required by the 1947 Act and the exercise of his or her powers in respect of Building Preservation Orders. The Town and Country Planning (Scotland) Act of 1959 modified the provisions of the 1947 Act in relation to the compulsory purchase of land. With effect from October 1958 compensation was to be determined on the basis provided by the Acquisition of Land (Assessment of Compensation) Act of 1919, which had the general effect of making it more expensive for the LPA to acquire land.

As from the passing of the Act certain classes of development, to be specified in a Development Order, were, in the case of planning applications for such development, to require special publicity. The publicity was to comprise a notice published in a local newspaper and the availability for inspection of all the relevant plans and documents. The LPA was to allow at least 21 days to elapse between the publication of the notice and the determination of the authority's decision and was to take note in the making of that decision of any submissions made. Future applicants were to be required either to certify that they were the owner or lessee of all the land or that notice of the application had been given to all those with such an interest in the land.

The Offices, Shops and Railway Premises Act of 1963 established minimum conditions for the use of office premises. The most significant in terms of office development was that there should be not less than either 40 square feet (3.7 square metres) or 400 cubic feet (11.3 cubic metres) of space per person habitually employed in any room. The space requirement, though, was sufficiently small as to have little effect in practice. Two years later the Labour government's Control of Office and Industrial Development Act provided for the imposition of restrictions on office development, but it was mainly aimed at the Midlands and South-East of England and its provisions were never implemented in Scotland. The powers lapsed in 1972.

The Civic Amenities Act of 1967 provided additional measures to control development in the case of areas or buildings of architectural or historic interest. Every LPA was required, from time to time, to determine which, if any, parts of their district were areas of special architectural or historic interest worthy of preservation. Such areas were to be designated as 'Conservation Areas'. Within a Conservation Area special attention was required to be given to the desirability of preserving or enhancing its character or appearance. In the event of a planning application being made which would affect the character or appearance of a Conservation Area, the LPA was required to publish a notice of the application in a local newspaper, to make the plans available for inspection, to take into account any representations received

and to allow at least 21 days to elapse between publication of the notice and the determination of the application.

The same Act tightened the protection of Listed Buildings in a number of ways. Section 28(6) of the 1947 Act was amended so that six months notice of any proposed alteration to a Listed Building was required to be given to the LPA. It also became a specific offence to cause damage to a Listed Building unless both planning permission was obtained and the prescribed notice was given. The LPA was empowered, at seven days notice, to take any urgently necessary works for the preservation of an unoccupied Listed Building or premise's subject to a Building Preservation Notice. Section 38 of the 1947 Act permitting the compulsory purchase of inadequately maintained properties' subject to a Building Preservation Notice was extended to include all Listed Buildings.

By 1969 the detailed and comprehensive system of Development Plans envisaged by the 1947 Act had been found to be cumbersome and inflexible and was also greatly behind schedule (Cullingworth, 1985). Thus a new Act replaced Development Plans with the present system of indicative planning comprising 'Structure Plans' and 'Local Plans'. The Structure Plan was to be a statement of the LPA's policy and proposals in relation to the development of their district and their relationship to proposals in adjoining districts. Subsequent to the completion of the Structure Plan, the LPA could prepare a Local Plan for any part of their district formulating their detailed proposals for the development and use of land in that area. Structure Plans were subject to approval by the Secretary of State and were to be reviewed as required.

Preservation provisions were again substantially altered. Building Preservation Orders were abolished and any property so covered was deemed to have been listed. Any works for the alteration, enlargement or demolition of a Listed Building were only permitted if the LPA (or the Secretary of State) had granted written 'Listed Building Consent'. In the case of a grant of Listed Building Consent for demolition, members of the Royal Commission on the Ancient and Historical Monuments of Scotland were to be allowed access for three months after the grant of consent for the purpose of recording the building. In cases where Listed Building Consent was refused or granted subject to conditions the owner or lessee of the property could serve a 'Listed Building Purchase Notice' on the LPA obliging it to compulsorily acquire his or her interest, provided that the land had become incapable of reasonably beneficial use as a consequence of the decision. A new form of Building Preservation Order was introduced that was applicable to unlisted buildings. Such an order would state that the LPA had requested that the Secretary of State consider listing the building. The

building would be protected for a period not exceeding six months while awaiting his or her decision.

In any case where a Listed Building appeared to have been deliberately neglected (for example in the interests of securing consent for demolition) the Secretary of State could not only authorise the LPA to compulsorily acquire the property but could direct that 'minimum compensation' be paid. In such a case the compensation was to be determined on the assumption that no planning permission of any kind would be granted in respect of the land.

The special publicity requirements for planning applications affecting Conservation Areas were extended by a requirement that the LPA display a site notice on the land in question for at least seven days of the 21 day period elapsing between the first posting of the notice and the determination of the application. The applicant was required to display such a site notice for all applications subject to section 35 of the 1959 Act (which required special publicity in respect of certain classes of development prescribed by Development Order).

All planning permissions granted either before or after the commencement of the 1969 Act were to be deemed to include a condition that they would expire, if the development had not been started, five years after the commencement of the Act or the grant of permission, whichever was the later. At the time of granting permission the LPA could impose a greater or lesser period of validity if they so desired.

The Act introduced the concept of 'Outline Planning Permission' which was defined as a grant of planning permission with the reservation for subsequent approval of matters not particularised in the application. Approval of the reserved matters was required to be sought within three years and the development to commence within two years of their final approval.

Finally, the Secretary of State was empowered to constitute a 'Planning Inquiry Commission' and to refer to it any or all of the following: applications for planning permission called in by the Secretary of State, planning appeals, a proposal that a government department give a direction under section 32 of the 1947 Act that planning permission be deemed to have been granted for a development by a local authority or statutory undertaker and lastly a proposal for development by or on behalf of a government department. The LPA was similarly empowered to delegate to an officer of the authority the function of determining planning applications.

The Town and Country Planning (Amendment) Act of 1972 extended the powers of LPA's in Conservation Areas. Thereafter the authority could, subject to confirmation by the Secretary of State, make an order giving control over the demolition of buildings in such an area. The buildings were to be treated as if they were listed in the event of a demolition proposal. The Town and Country Planning (Scotland) Act of the same year largely replaced and consolidated the previous patchwork of legislation. Virtually no significant changes were made in the process, but one minor addition was that if a Building Preservation Notice ceased to have effect without the property in question having become a Listed Building, then any person having suffered loss or damage as a result of the notice could claim compensation from the LPA.

The Local Government (Scotland) Act of 1973 provided for the reconstitution of Scottish local authorities. With effect from May 16th 1975 the country was divided into Regions and each Region into Districts. Planning functions were in future to be split between the Regional Planning Authority (RPA) and the District Planning Authority (DPA). District planning functions comprised the following:

[i] preparation of Local Plans;
[ii] grants of planning permission;
[iii] exercise of development control;
[iv] control of Listed Buildings and other special cases;
[v] acquisition and appropriation of land for planning purposes;
[vi] compensation claims; and
[vii] Conservation Areas.

Regional planning functions comprised:

[i] preparations of Structure Plans;
[ii] acquisition and appropriation of land for Regional planning purposes, such as roads and schools; and
[iii] the exercise of reserve powers in place of the DPA.

The latter allowed the RPA to 'call in' any application for planning permission that raised an issue of general significance to the Region.

The Town and Country Amenities Act of 1974 further tightened control over Conservation Areas. As from August that year provisions relating to Listed Buildings and Listed Building Consent applied to all buildings in a Conservation Area. In particular it became an offence to demolish such a building without the consent of the

DPA. The Secretary of State, however, could exempt specified buildings or classes of buildings from demolition control.

In 1975 the new Labour government introduced potentially the most radical legislation to affect office development of the period under review, namely the Community Land Act. As from September 1st 1976 local authorities were given wide powers to compulsorily acquire any or all 'Development Land' in their area, subject to approval by the Secretary of State. Development Land was defined as any land needed for 'Relevant Development' over the following ten years (section 3(1)). Relevant Development was any development except building single dwelling houses, non-industrial buildings not exceeding 1,000 square metres gross (10,764 square feet), a ten per cent increase on an existing building and certain other cases or as prescribed by the Secretary of State (Section 3(2) and Schedule 1).

Every RPA was required to produce a land acquisition and management scheme to provide for the performance of all authorities (DPA's and New Towns) in the area of their function of acquiring any land suitable for Relevant Development, either to develop it themselves or to make it available for development by others. Such acquisition was to be by agreement, or compulsorily if authorised by the Secretary of State.

The Secretary of State could make an order designating all or part of a Region and specifying the type of Relevant Development. Thereafter it was the duty of all affected local authorities to compulsorily acquire all interests in land needed for such 'Designated Relevant Development'. Compensation for any compulsory acquisition made after September 1st 1976 was to be determined on the assumption that planning permission would not be granted for any development of the land. After the second appointed day (never promulgated) the provision would have applied to all assessments of compensation.

The Secretary of State was granted a new power to compulsorily acquire vacant office premises. The power was granted largely as a result of the 'Centre Point' affair of the early 1970 property boom. Any office building comprising more than 5,000 square metres of gross floor area (53,820 square feet) and which had been vacant for at least two years since completion could be compulsorily acquired unless the owner could demonstrate that all reasonable attempts had been made to let it. The compensation for such an acquisition would be the value of the premises at the time of completion (thus imposing a considerable financial penalty on the owner given that it was a period of rapid inflation).

The Act had the potential to transform both planning and the land market. RPA's and DPA's would have been able to ensure that what they planned was actually executed. Most land would have been worth only its existing use value. Windfall gains arising through the granting of planning permission would have accrued largely to the community through local authority ownership of Development Land. Speculative holding of land in anticipation of future capital gains would have mostly ceased, thus preventing the hoarding of land. Finally, property developers would have been able to acquire Development Land from local authorities according to the latter's assessment of local needs.

In the event little was achieved as the UK fiscal crisis of the late 1970s meant that the resources required to implement the Act were not available. In addition the Labour government was unstable and thereby forced to delay and compromise on the implementation of what was highly contentious legislation. Finally, the new Conservative regime immediately repealed the Community Land Act by means of the Local Government, Planning and Land Act of 1980.

The 1980 Act also provided for the Secretary of State to prescribe fees payable to DPA's in respect of applications for planning permission, Listed Building Consent, approval and so forth. Fees came into force on April 1st 1981 in terms of Statutory Instrument 443 of 1981. In relation to office developments, they were £40 per 0.1 hectare of site area in respect of applications for outline permission for new construction (£44) [£47] {£53} up to a maximum of £1,000 (£1,100) [£1,175] {£1,325}, £20 for other new construction applications for a gross floor area up to 40 square metres (£22) [£24] {£27}, £40 for areas between 40 and 75 square metres (£44) [£47] {£53} and £40 for every 75 square metres above that (£44) [£47] {£53} up to a maximum of £2,000 (£2,200) [£2,350] {£2,650}. Change of use applications cost £40 (£44) [£47] {£53}.[1]

The 1982 Local Government and Planning (Scotland) Act introduced time limits on the validity of Listed Building Consents similar to those already applicable to grants of planning permission, i.e. five years.

[1]The figures in brackets are the increased fees which came into effect successively on June 1st 1982, December 1st 1983, and August 22nd 1985 by virtue of Statutory Instruments 759 of 1982, 1697 of 1983 and 1180 of 1985.

NATIONAL PLANNING LEGISLATION - REPUBLIC OF IRELAND:

The Irish equivalent of the 1947 Town and Country Planning (Scotland) Act was not introduced until 1963. Prior to that date local authorities could voluntarily choose to implement a planning scheme if they so desired. Dublin Corporation was one authority that did have such a scheme.

In 1963 the Local Government (Planning and Development) Act was passed which introduced a completely new planning and development control system. The Act was closely modelled on the 1947 UK Acts even to the extent of copying much of the wording. As from the commencement of the Act (1st October 1964) the Planning Authority (PA) was deemed to be either the county council for areas outside boroughs or urban districts, or the borough corporation or urban district council. 'Development' was defined as "... the carrying out of any works on, in or under land or the making of any material change in the use of any structures or other land" (Local Government (Planning and Development) Act, 1963, Section 3(1)). Various classes of development were, however, exempted. These included developments by a county council, borough corporation or urban district council, maintenance or other works affecting only the interior or not materially affecting the exterior, and such other classes of development as the Minister for Local Government might prescribe. In the event he subsequently exempted the change of use from one type of office to any other type of office (unless it would contravene a condition of a grant of permission), (Irish Statutory Instrument 236 of 1964). By Statutory Instrument 176 of 1967 demolition of any building became Exempted Development, unless the building in question had been identified in a Development Plan (or draft thereof) as one that the PA wished to preserve, or consider preserving. As from 1st January 1985 demolition of a habitable house was excluded from Exempted Development (Irish Statutory Instrument 348 of 1984).

Every PA was required, within a period of three years from 1st October 1964 to produce a 'Development Plan' for their area. The plan was to be a written statement and map indicating use zoning, transport provisions, objectives for development and renewal of obsolete areas and for preserving, improving and extending amenities. Schedule three to the Act specifically provided, amongst other things, that the plan might contain objectives for the preservation of buildings of artistic, historical or architectural interest. The plans were to be reviewed every five years.

As from 1st October 1964 planning permission was required for the undertaking of any development, except Exempted Development. Applications for planning

permission were to be made to the PA. Ministerial regulations were to provide for the grant of 'Outline Permissions' (i.e. subject to subsequent approval), requiring applicants or the PA to display any notices, and so forth. In terms of these regulations, the applicant was required either to publish a notice in a newspaper circulating in the area, or to post a conspicuous notice near the main entrance to the site. The PA could require publication of a further notice it they considered it necessary (Irish Statutory Instrument 221 of 1964). Any application for planning permission could be granted, granted subject to conditions or refused by the PA. The decision was to be made in regard to the proper planning of the area and in particular to the provisions of the Development Plan. Any application for planning permission not determined within the prescribed period was to be deemed to have been granted. In almost all cases the period was two months, but there were two exceptions. The first was when the proposed development materially contravened the Development Plan, as in such a case a grant of permission required the Minister's consent. The second was in cases where the PA had issued a notice to the applicant before the expiry of the two month period. In such a case the prescribed period would be two months from the date of compliance with the notice. Such a notice would generally be a request for additional information about the proposed development.

The applicant could appeal to the Minister against any decision within one month of receipt of the decision notice. Any other person (i.e. a third party) could similarly appeal within twenty-one days. In any appeal case where permission was refused or granted subject to conditions then, if the owner of the land claimed that it had thereby become incapable of reasonably beneficial use he or she could, within six months, serve a 'Purchase Notice' on the PA. It should be noted that the existence of a third party right of appeal meant that the actual grant of a planning permission was not made until one month after the notification of a decision, i.e. after the expiry of the period for making an appeal. If an appeal had been lodged then the appeal decision would be the one to come into force.

If expedient to do so, the PA could revoke or modify any planning permission at any time before the works or change of use was commenced. In such cases the owner so affected could serve a Purchase Notice on the PA, as detailed above.

In the case of development undertaken without permission or the non-compliance with conditions, an 'Enforcement Notice' could be served by the PA. After the elapse of one month from such service the PA could remedy the breach of development control at the owner's expense. The PA could also require the removal or alteration of any authorised structure or the discontinuance of any authorised use of land if the

proper planning of the area so required. In such cases it would have to pay compensation and might also be subject to a Purchase Notice if the relevant conditions existed.

Local authorities were not permitted to undertake development that materially contravened the Development Plan, but otherwise the PA could undertake development in its area without applying for planning permission. State authorities intending to undertake developments were required to consult with the PA. Only if objections raised by the PA remained unresolved was it necessary for the authority to consult with the Minister. Thus both local and national government bodies were not subject to formal planning control.

There were few conservation provisions, but the PA was empowered to make 'Tree Preservation Orders' and could declare a 'Special Amenity Area'. Such an area could be declared on the grounds of natural beauty or scenic or other amenity. Within the area the order could provide either that no development or only specified development would be permitted (excluding Exempted Development). The designation of a Special Amenity Area required Ministerial consent. This designation could have been used for building conservation purposes in Dublin, but had not been as of 1985.

Unlike the situation in Scotland, the 1963 Act did not fully nationalise the right to develop land in the Republic of Ireland. Consequently there were complex arrangements for the payment of compensation in respect of the effects of development control. If it could be shown in a claim to the PA that, as a result of a refusal or conditional grant of planning permission, the value of an interest of any person in the land in question was reduced, then such person was entitled to be paid by the PA by way of compensation the amount of such reduction (and in the case of an occupier the damage, if any, to his or her trade or business). In determining the reduction in value regard was to be had to any other planning permission existing in respect of the land, any undertaking by the PA to grant any other permission and to the fact that Exempted Development was permitted.

There were a number of cases, however, where compensation was not payable. These included: any case subject to section 29, i.e. where the PA was compulsorily acquiring the land subject to a Purchase Notice, or cases in respect of a refusal of permission for a development including a material change of use of any structures or land. Also covered were refusals on the grounds of an existing deficiency in the provision of services (water, sewerage, etc.). The imposition of conditions to regulate

such matters as the size, height, floor area, building lines, site coverage and design of buildings, and reserving public parks, preserving archaeological features and views was exempted from any liability to pay compensation. Refusals of permission in Special Amenity Areas were exempt. Finally, no compensation could be claimed for a refusal of planning permission if a planning permission was available for any other development consisting of the construction of houses, flats, shops, offices, hotels, garages, theatres or industrial building. The amount of any compensation was to be determined in accordance with the provisions of the same 1919 Act as applied in Scotland.[2]

The Local Government (Planning and Development) Act of 1976 made certain alterations to planning law. As from November 1st 1976 any grant of planning permission was to cease to have effect either five years after the grant of such permission or five years from the above date, whichever was the later. The expiry applied either to the whole development or however much had not been completed by the expiry date.

The other major change was the establishment of An Bord Pleanála, the planning appeals board. There had previously been allegations of corruption in the Minister's handling of appeals, and at the very least there had been some highly contentious decisions (McDonald, 1985). As from 15th March 1977 An Bord Pleanála took over all the Ministers powers in relation to appeals. Members of the Board were appointed by the Minister in accordance with the provisions of the Act. They mostly comprised present or retired Supreme Court judges. Decisions of the Board could only be altered by the Supreme court on legal grounds, but the Minister could give the Board general policy directions. The Board had the power to award costs and expenses against either the appellant or the PA if, for example, the appeal was found to be for the purpose of causing delay only.

The Local Government (Planning and Development) Act of 1982 provided for the introduction of fees for the making of planning applications. The charges came into force on March 7th 1983. Applications for the construction of new non-residential buildings were subject to a fee of Ir£40 or Ir£1.75 per square metre of gross floor space, whichever was the higher. Changes of use applications were liable to a fee of Ir£40 or Ir£5 per 0.1 hectare of site area. A one tenth fee was payable for an application for an extension of validity of a grant. A one quarter fee was payable for approval applications and those involving only an alteration to approved plans, so

[2]It predated Irish independence and thus had been incorporated into the law of the Irish Republic.

long as a full fee had previously been paid. There was an Ir£10 fee for anyone other than the applicant or various official bodies making submissions in respect of any application. Appeals cost Ir£30 with a charge of Ir£10 for anyone other than the appellant, applicant, PA or various official bodies making a submission (Irish Statutory Instrument 30 of 1983). The fee for making a submission was removed as from 3rd January 1984, but not that in respect of appeals (Irish Statutory Instrument 1 of 1984). As from 1st February 1985 a three-quarter fee was payable for an outline application, Ir£30 for an extension of validity application and Ir£36 for appeals. Upper limits were also introduced of Ir£7,500 for outline, Ir£2,500 for approval and alteration to plans and Ir£10,000 for full planning applications (Irish Statutory Instrument 348 of 1984). The PA and An Bord Pleanála were given the option of setting a period of validity of a planning permission of more than five years if the nature and extent of the proposed development warranted it. The PA could also extend the validity of a planning permission if satisfied that the development had been commenced, substantial works had been undertaken and it could be completed in a reasonable time. Finally, the period of validity of planning permissions was altered. Any permission granted before the 1st November 1976 was to expire on October 31st 1983. Permissions granted on or after the 1st November 1976 and not later than 31st October were to expire either seven years from the date of grant or 31st October 1987 whichever was the earlier. In all other cases permissions were valid for a period of five years.

The Local Government (Planning and Development) Act of 1983 provided for the reconstitution of An Bord Pleanála. Thereafter it was to consist of a chairman appointed by the government, being one of three candidates suggested by a committee comprising the High Court president, and representatives of the County Councils, Department of the Environment, An Taisce (Irish National Trust), the Construction Industry Federation, and the trade unions. The ordinary members of the board were to be: One professional planner, one representative of preservation interests, one representative of developers and builders, one representative of those organisations concerned with the promotion of social or economic interests and a civil servant. All decisions were to be reached by majority voting.

Finally, while not planning legislation as such, mention must be made of the effect of a provision of the various Housing Acts that empowered the Minister to restrict the loss of certain existing residential property. Planning applications that would involve the loss of such residential accommodation were suspended pending a decision by the Housing Minister. In many cases these applications remained undetermined until the abolition of the provision with effect from January 1st 1985.

A COMPARISON OF LEGISLATION IN FORCE DURING THE STUDY PERIOD:

It should be apparent from the preceding sections that there have been only minor changes made in the post 1963 Irish planning and development control system, whereas that in Scotland has been subject to frequent and sometimes major change, often related to changes in government. Nonetheless, the two systems are quite closely related. The present section aims to identify the common characteristics and major differences that existed during the period after January 1st 1976.

Throughout the study period planning authorities in both countries have been required to prepare and maintain a framework of comprehensive planning policies for their districts. The actual form of these has, though, been quite different. In Scotland two tier local government has produced Regional Structure Plans giving broad non site-specific policies and more detailed District Local Plans. Unitary Irish local authorities have prepared detailed Development Plans that are similar to the 1947 style of Scottish Development Plan. The plans have shown detailed zoning provisions, transport proposals and so forth.

In both countries planning permission was required for all development, except Exempted Development (e.g. maintenance), and the definitions of these were essentially similar. Ireland did not, however, have an equivalent of Excepted Development for which permission could not normally be refused. Provisions in relation to State and Local Authority development were dissimilar. In Scotland local authorities other than the DPA applied to the latter. Development by a DPA, statutory undertaker or the State would be handled by the Secretary of State, but in most cases a formal planning application was not required. In Ireland the PA did not require permission for its own developments. Other local authorities consulted the PA. The Minister was only empowered to intervene in the case of State developers if the PA objected to the proposal. State and local authority developers thus had potentially less restriction on their development powers in Ireland. In both countries planning applications were to be decided with reference to the established planning policies, but the actual practice in Edinburgh and Dublin has been different. In Edinburgh planning policies have been used as a guide but applications have been assessed on their individual merits. Planning appeals are similarly assessed in terms of such largely non-site-specific policies. In Dublin the Development Plan has been the benchmark against which both applications and appeals have been assessed. In part this reflects an institutional difference. In Edinburgh applications are determined by the Planning and Development Committee of the elected Council, who may or may

not accept the advice of the Director of Planning.[3] Decisions must normally, though, conform to the broad, non-site specific, policies set in the Regional Council Structure Plan. In Dublin the elected Council approves the detailed Development Plan and then leaves the determination of planning applications to the City Manager acting on the advice of the Planning Officer and in accordance with the Plan (though councillors can still determine an application themselves).

In both countries the prescribed period for determining a planning application was two months in almost all cases. In Scotland an application was deemed to have been refused at the end of the period unless the applicant did not object to the DPA taking longer. In Ireland permission was deemed to have been granted at the end of the period, although the PA could extend it in certain cases (such as by requesting additional information). The Irish legislation thus incorporated one of the main amendments that has been argued for in the UK (see the two previous chapters).

In the event of a refusal or conditional grant of planning permission the applicant could appeal to the Secretary of State in Scotland or An Bord Pleanála in Ireland[4] against the decision. The main difference from Scotland was that An Bord Pleanála was a quasi-judicial body outside direct political control. In Scotland, however, the appeal functions of the Secretary of State have gradually been devolved to 'Appointed Persons' presiding over planning inquiries (Statutory Instruments 210 of 1976, 892 of 1978, and 1675 of 1980). It is also important to note that in Ireland the right of appeal was not restricted to the applicant as anyone could appeal against any decision. Thus in Ireland a PA grant of planning permission can be reversed on appeal, a significant additional opportunity for persons wishing to object to a development. In Scotland there could only be an appeal against a refusal or a condition attached to a grant so it was impossible for a grant to be reversed on appeal.

Thereafter compensation for lost land value arising from the determination of a planning application was generally not payable in Scotland, except in the extreme case where the applicant could justifiably claim that the land had been rendered incapable of reasonably beneficial use. The Irish situation was rather different. The above provision applied but in addition the PA could be liable to pay compensation except in respect of various types of conditions, changes of use and sites where an alternative planning permission existed. The overall result has been that Irish planners have constantly had to guard against potentially substantial compensation liabilities

[3]The full council must formally approve any refusal of planning permission.
[4]The Minister for Local Government heard appeals prior to 15th March 1977.

(personal communication with Dublin planning officers), and / or a successful challenge to the decision on appeal.

In both countries similar powers existed for a planning authority to revoke or modify an existing planning permission. Compensation would have to be paid in any such cases.

In Scotland a Development Order could specify particular classes of development in respect of which special publicity was required, consisting of notices in a local newspaper and posted on the site. The DPA was required to allow a 21 day objection period. The most relevant classes affected were construction of buildings exceeding 20 metres in height, development that would alter the character of an area of established amenity, or which would introduce significant change into a homogeneous area (Statutory Instruments 679 of 1975 and 830 of 1981). In Ireland every applicant was required to publish a notice in a newspaper (or on the site) of the making of a planning application (but these could be obscure as in the case of a Gaelic language advert by Philip Lahart in 1967 (McDonald, 1985, p 67)), but there were no other publicity requirements.

The most obvious and major difference in the legislation is in the area of conservation. Irish legislation does not contain any specific provisions for the creation of a register of Listed Buildings or for building conservation other than to include it as a possible objective of a Development Plan. Listing in a Plan made it a requirement to obtain planning permission before a building could be demolished, but did not guarantee preservation. The PA was not able to force the owner to maintain the building. Thus deterioration to the point of public danger could be used as a route to secure demolition (McDonald, 1985). In addition the PA still had to be wary of a possible liability to pay compensation if they refused planning permission. There was no control in most cases over internal alterations. This compares with the increasingly stringent regulations applicable in Scotland in respect of Listed Buildings and Conservation Areas, as was detailed in the first section of the chapter. Essentially no alteration, either internal or external, could be made without permission. Demolition was unlikely to be approved except in exceptional cases, and the DPA could take steps, if required, to maintain a building at the owner's expense.

Throughout the period Scottish planning permissions had a five year time limit unless the work had been commenced. Similar time limits came into force in Ireland from November 1st 1976 with a one off two year extension granted in 1982. There was a

small difference, though, in that in Ireland the development had to be completed (not merely started) within the time limit. Irish PAs could, though, grant extensions.

Fees for making planning applications were introduced two years later in Ireland than was the case in Scotland. The fees in respect of a change of use were similar but for new construction it was much higher in Ireland, and subject to no upper limit before 1st February 1985. Thus while the highest possible fee in Edinburgh was £2,650, Irish Life paid over Ir£80,000 for application 1863 of 1984. It is noteworthy that on the two days preceding the introduction of fees 89 office applications were made in Dublin (out of 247 for 1983) compared to 5 (out of 275 for 1981) in Edinburgh.

Finally, there was no Irish equivalent of the Community Land Act. The significance of this, though, is limited as the Act only appears to have had a marginal impact in Scotland.

EDINBURGH AND DUBLIN PLANNING POLICIES:

Planning policies in Edinburgh have varied considerably over time. In the immediate post-war period they included major road proposals and inner city redevelopment (Abercrombie and Plumstead, 1949). The trend since then has been to gradually abandon proposals for major redevelopment, to increasingly seek to promote the preservation of historic areas, and to conserve the character of the city.

At the start of the study period the Development Plan in force for Edinburgh comprised the Development Plan 1965 Review (City and Royal Burgh of Edinburgh, 1974) as it had been amended to 1974. In terms of the plan the First New Town and the West End to Palmerston Place were zoned for General Business use and the Old Town and South Side mostly for Institutional use. Most other areas had residential zonings. It was anticipated that the General Business areas would be used primarily for office purposes, but it was also policy to preserve residential uses wherever it would not conflict with the need to preserve the commercial viability of the centre. The main areas considered of architectural or historic interest were Calton Hill and the New Town, the Royal Mile, Inverleith Row and Dean Village. A limited amount of new development might nonetheless be permitted in these areas. George Street and Princes Street were to be redeveloped.

There were a number of policies additional to the Development Plan. Developments of a height exceeding the average of the higher buildings in an area were generally

not allowed. A design guide and maximum plot ratios had been adopted for Prince's Street and George Street. From 1974 the Central Area Office Restraint policy had been in force. In terms of this, new offices were only to be allowed in the central area if they had an over-riding need to be there, represented an enlargement not exceeding ten per cent of the gross floor area of an existing building, or would involve the rehabilitation of a building of special architectural or historic interest involving extraordinary cost. New offices were to be directed to South Gyle, Leith and Nether Liberton or other district centres (City of Edinburgh District Council, 1981).

Various policies have come into force during the study period. Rear garden car parking in the New Town was restricted from June 1977. From August of that year office development on the edge of the central area was to be more carefully controlled. Conservation was also to be more actively pursued and private schemes involving significant conservation gains to be encouraged (City of Edinburgh District Council, 1981). Existing Conservation Areas were greatly expanded from July 1977 by the designation of the remaining areas of the New Town and Dean Village, the Old Town and various other areas (City of Edinburgh District Council, 1977). The net effect was that the whole of the central area was included.

The old style Development Plan was finally superseded when the first Structure Plan was published by Lothian Regional Council in 1978. With some reservations it reaffirmed the office restraint policy. The inner suburbs were to be protected from the intrusion of speculative office development and the high buildings and conservation policies were endorsed.

From 1980 the DPA introduced a policy to control roofscapes. In Conservation Areas pitched roofs were required clad in traditional materials. From 1981 a policy of controlling non-retail uses in designated principal shopping streets was adopted. Non-retail use was restricted to 25 per cent of an individual block frontage and 10 per cent of the whole street frontage. Designated streets included Princes Street, Shandwick Place, Lothian Road and the Bridges (City of Edinburgh District Council 1981).

Stricter controls were introduced for the First New Town as from 1982. The previous redevelopment guide-lines were replaced, and in future only limited redevelopment was to be permitted. New buildings were to respect the height and scale of adjoining buildings. Sandstone was to be mainly used for facades, synthetic materials were not generally acceptable and so forth. Buildings between George Street and Queen Street were to be replicas of Georgian buildings (City of Edinburgh District Council, 1982).

Local Plans for most of central Edinburgh (other than the South Side) were not completed during the study period.

In Dublin the policies in force at the start of the study period were those set out in the 1971 City Development Plan. The zoning provisions provided for much of the central area within the canal ring to be used for office purposes (except for areas west of the Castle). High buildings were generally not permitted by virtue of the maximum site coverage and plot ratio standards set for each zone. These were of the order of 80 per cent and 2.5 respectively. A number of buildings were listed as desirable for preservation and graded as (i) to be protected, (ii) to be preserved and (iii) state owned. Only Merrion and Fitzwilliam Squares were to be preserved fully intact. It was desired that new development be channelled to the sub-standard areas north of the River Liffey, but it was accepted that office use could ensure the preservation of older buildings. There was a large number of road widening schemes that involved demolition of adjoining buildings. These affected most of the Liffey Quays, many streets north of the Liffey and large areas of the medieval core.

The 1980 City Development Plan modified some of the proposals. The area zoned for City Centre uses was reduced to exclude most of the southern Georgian area. That became zoned "... to protect the existing architectural and civic design quality and to provide for compatible residential and office uses" (Dublin Corporation, 1980; see Map 6). In this zone existing plot ratios were to be maintained. The number of buildings listed for preservation was considerably increased to include most Georgian houses in the above zone. Immediately surrounding the area was a zone in which new residential and office development was permitted in so far as it was compatible with conservation and renewal requirements. It was proposed that offices would be restricted to 40 per cent of the floor area of any developments in this zone.

Redevelopment of the area north of the River Liffey was to be encouraged in order to redress the imbalance that had been created between the north and south of the city. To this end the area was zoned to permit 100 per cent office content in new developments. It was stated that consideration would be given to proposals that would exceed the 2.5 plot ratio specified for the area.

Other stated policies in the Plan were as follows. Large office schemes were to be encouraged in areas near public transport nodes and plot ratios in these areas relaxed if necessary. The southern Georgian area was to be preserved hence the new zoning and listing of buildings. In consequence the area south of Trinity College, Lower Mount St and Northumberland Road, east of Harcourt Street and as far south as

Ballsbridge was designated a 'Conservation Area'. O'Connell Street, the Liffey Quays, Mountjoy Square and certain other areas were also designated but only for the facades. Within Conservation Areas special care was to be exercised in dealing with development proposals, such as ensuring that the design was compatible. Thus new development was not ruled out and indeed in the case of Mountjoy Square it was policy to "... encourage redevelopment and to maintain its architectural character and scale" (Dublin Corporation, 1980, p58). Most Listed Buildings were included in the weaker 'to be protected' category. Demolition or alteration would be considered for these structures. It was specifically stated that "... the structural condition of the building must ... be a prime factor in assessing whether it should be substantially retained. Thus it is clear that the extent of preservation likely to be practical must be related to the degree of support shown by the owners concerned" (Dublin Corporation, 1980, p48). Overall, it was policy to encourage office employment within the central area while retaining a large residential element within the canal ring. Many of the road improvement schemes remained but were demoted to long term objectives only.

CONCLUSION:

Although Scotland and Ireland are two separate countries, it has been shown that the planning legislation enacted in each has been closely related. Usually provisions have been enacted in Ireland some years after implementation in Scotland, but not always and occasionally the reverse occurred. Despite the similarities, detailed analysis revealed a number of potentially significant differences. The majority of these could be anticipated to have weakened the potential effectiveness of Irish planning controls *vis a vis* those in Scotland. These included that the time available to the Irish planning authority to make a decision was tightly restricted, there were potential problems in refusing permission for all development on a site due to compensation liabilities, refusal reasons generally had to be related to specific provisions of the Development Plan, and powers in relation to conservation were very limited in Ireland compared to Scotland. On the other hand the Irish right of Third Party appeal was a potentially powerful weapon available to those opposed to redevelopment.

The actual policies adopted by the Edinburgh and Dublin planning authorities during the study period were seen to have been rather different. In Edinburgh it was the intention to preserve the historic character of the city and to promote the conservation

of the whole of the central area.[5] New development was either to conform to the existing (mostly Georgian) styles or at least be in sympathy with it, except in the very limited cases where substantial cleared sites already existed. There has been a firm policy to retain central area residential use and in some areas to increase it. There has also been a policy to restrict office use in the city centre, especially new office development, and to direct expansion to the outer suburbs.

In Dublin, however, overall policy has favoured development of almost any kind, largely due to the weak condition of the Irish economy. City centre office development has been favoured and there was no desire on the part of the planning authority to promote decentralised office growth (probably because the most likely areas lay outside the Corporation boundary). It was, though, policy to retain a significant inner city residential component and to redirect at least a proportion of development, especially offices, away from the area south of the Liffey to the semi-derelict areas north of the river. Conservation proposals were largely limited to the southern Georgian district that formed approximately a one quarter segment of the inner city. The overall tone of these proposals, however, was significantly weaker than was the case in Edinburgh. This was reinforced by the virtual absence of funds for preservation and the PA's inability to force owners to maintain Listed Buildings. A large number of proposed road widening schemes existed which implied wholesale redevelopment of many inner city areas.

It may thus be concluded that both planning legislation in the Republic of Ireland and the specific policies of the Planning Authority should have led to conditions that were substantially less likely to inhibit office development in Dublin, than was the case with their equivalents in Edinburgh.

[5]Especially after the early 1970s.

CHAPTER 4

DATA SOURCES, COLLECTION AND PROCESSING

INTRODUCTION:

The discussion that follows covers the sources of data, what data items were collected, how they were collected and the problems that were encountered with respect to both Edinburgh and Dublin. The final section describes the Geographical Information System that was established to facilitate the analysis of the data and the output of both graphical and tabulated results.

STUDY AREA:

The study area comprises the administrative districts of the City of Edinburgh District Council and Dublin County Borough Corporation. Information was collected for the whole of these districts, except where otherwise indicated in the following sections.

DATA SOURCES:

The most accurate and complete sources of information on planning applications in both Edinburgh and Dublin are the statutory planning registers maintained by the City of Edinburgh District Council and Dublin Corporation. Edinburgh District Council was required to maintain a register of planning applications in terms of Section 12 of the Town and Country Planning (Scotland) Act of 1947, and subsequently Section 31 of the Town and Country Planning (Scotland) Act of 1972. The register contains such details of planning applications as have been prescribed from time to time by the Secretary of State for Scotland. Dublin Corporation is required to maintain a similar register by Section 8 of the Local Government (Planning and Development) Act of 1963. The Dublin register contains such details as have been prescribed by the Minister of Local Government. In both Scotland and Ireland the planning registers are available for free public inspection.[1]

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[1]See Chapter 3 for a full description of the relevant planning legislation.

In Edinburgh the planning register is maintained by the District Council's Department of Administration. For each planning application it contains the following details:

I the applicant's name and address;

II the planning application number;

III the date of the application;

IV the location of the application site;

V a brief description of the proposal;

VI details of the Planning and Development Committee's processing of the application, including the date of the decision, the decision and reasons for a refusal or conditions attached to a grant (as appropriate); and

VII the nature of the decision and the decision date in the event of an appeal having been made to the Secretary of State.

In Dublin the register contains similar information but is different in appearance. The register is maintained by the Corporation's planning department. It consists of a standard sheet noting the details of the application and a copy of the decision notice. Copies of correspondence with An Bord Pleanála (the appeals board), including full details of an appeal decision, are also present. In summary, the main details in the register are:

I the applicants name and address;

II the planning application number;

III the date of the application;

IV the site affected by the application;

V a description of the proposal;

VI details relating to the type of application (e.g. in outline), whether it was affected by the Irish Housing Act, and whether the corporation had requested additional information;

VII full details of the planning department's decision, including the date and refusal reasons or conditions of grant (as appropriate); and

VIII a copy of An Bord Pleanála's decision notice in the event of an appeal having been lodged.

Overall, the Dublin planning register contained a fuller description of each proposal than was the case in Edinburgh.

Data on the floor area of the proposed developments was not directly available in either of the planning registers. In both cities, however, every planning application gives rise to a file containing the plans of the development and any correspondence or reports pertaining to it. In Ireland the files are a public record, whereas in Scotland the public only has access to files relating to current planning applications (i.e. before a decision has been made). Office floor area data was generally stated in the files either in the architect's submission or in the planning officer's report. If it was not stated then the area could be calculated from an examination of the plans. Although theoretically it was possible to obtain a floor area figure for every application, in practice a number of problems were encountered which will be considered in a later section.

Data on Listed Buildings was obtained from three sources. The 1971 and 1980 Dublin City Development Plans and from the Scottish Development Departments Statutory Register of Listed Buildings. Details of applications affected by Conservation Areas in Dublin were derived from the City Development Plan 1980 Map 6 (covering the central area). Data for Edinburgh came from the Edinburgh District Council Planning Department's definitive maps of the New Town, West End, Dean Village and South Side Conservation Areas.[2]

DATA COLLECTED:

The objective was to obtain a comprehensive coverage of office related planning applications for the duration of the study period. The intra-urban distribution of office developments is an important aspect of the research, therefore the location of each application needed to be known. This was to be used to link the data on planning applications to computerised base maps.

Data was collected on all office planning applications and appeals for the study areas of Edinburgh and Dublin for the ten year period 1st January 1976 to 31st December 1985. The identification of office planning applications was based on the description of the proposed development contained in the planning registers. It should be noted, though, that offices incidental to a factory, shop or other non-office land-use were not considered to be of relevance to the present study of the commercial office sector. Such offices were therefore excluded in cases where they could be identified.

[2]Note that the terms Listed Building and Conservation Area have different legal definitions in Edinburgh and Dublin.

Applications in Edinburgh that were subsequently determined as Permitted Development[3] by the District Council were removed from the database. No other criteria were used in the selection of planning applications, with the result that the database includes proposals for new office construction, changes of use of existing premises to office use and changes of use of existing offices to non-office use.

The exact details of the data collected are summarised in Tables 4.1, 4.2, 4.3 and 4.4. They cover planning applications and appeals for Edinburgh and Dublin respectively. It should be noted that the information available for both cities is virtually identical. The major difference related to the additional data for Dublin occasioned by the effects of the Irish Housing Act and Corporation requests for additional information about certain planning applications. The data has been arranged into a table of planning applications and appeals for each city.

All four tables were entered into the computerised Oracle relational database management system.[4] Tables 4.1 to 4.4 show the Oracle table names, the column names, a brief description of the contents of the column and the number of cases, missing values and null values for each column. A distinction has been drawn between missing and null values as follows: a value is deemed to be missing when a datum could not be found, whereas a value was deemed to be null when no datum existed. To clarify this, an example of a missing value would be where a gross floor area figure could not be traced, whereas an example of null values would be refusal reasons for a planning application that was granted permission.

At all stages of data collection and entry to the database rigorous checks have been used to maximise error detection and elimination. All columns have been checked to eliminate values outside the permitted range. In so far as possible columns have been cross checked to remove inconsistencies. For example, the decision column can be used to ensure that refused planning applications do not have condition codes attached to them. Nonetheless, it is probably inevitable that in a large database a few typing or other errors will have escaped detection, but it is considered that the overall effect will be negligible.

The data will be considered in more detail, in order to identify some special characteristics. In addition problems were encountered in completing some small

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[3]i.e. these applications did not, in fact, require to be made since the development did not require planning permission.

[4]Oracle is a registered trade mark of the Oracle Corporation of California, USA.

sections of the database. Table 4.1 shows that 1,441 office planning applications were made in Edinburgh during the study period. Of these the date on which the application was made (ELODGEDATE) was available for 1,440 cases, with only one missing value. The identity of the applicant (EAPPLICANT) was available for all cases. The postal address of the applicant was only recorded for 412 applications made after 1st January 1983 (columns EADRSS_ST_NO to EADRSS_CITY) in order to facilitate a follow up study of recent office property developers. This could ultimately not be undertaken within the time and resources available. There are, consequently, 1,029 null values for the applicant's address.

The site of the proposed development was sometimes identified by reference to two or more of the adjoining streets, and in many cases the site covered more than a single street number (e.g. numbers 5 to 9 George Street). For this reason provision was made for the inclusion of up to four street names and a starting and ending street number for each (columns ESITE_STNO_ST1 to ESITE_STNAME4). The site was identified for all cases.

The nature of the proposed development scheme, e.g. new offices, was recorded for all applications (see Appendix 1 for full details of the codes used in this and the other columns). Also fully available was data on whether or not the proposed development constituted an alteration to existing approved plans (EALT_APP_PLANS). It should be noted, though, that in Edinburgh such alterations were rarely deemed to constitute a separate planning application so that their number is small compared to Dublin.

The type of planning application (outline, full or approval of details) was available for 1,423 cases, with 18 missing values (ETYPE_APP). The planning authority's decision was traced for all cases. In a few cases a complication arose because part of a scheme was approved and part refused. For computational ease, it was decided to treat such applications as constituting two separate developments. It is recognised that this inflates the overall number of planning applications, but it should be noted that there were only 9 cases in Edinburgh where the procedure was adopted (and 10 in Dublin).

The date of the planning authority's decision was obtained for 1,425 cases, was missing in seven cases and was null in nine cases (column EDEC_DATE). It should be noted that in the event of an application being withdrawn, the decision date was taken to be the date of the withdrawal.

Five columns were provided to record the conditions sometimes attached to a grant of planning permission (columns ECONDITION1 to ECONDITION5). A limited degree of selectivity was used in recording the conditions. Conditions that were judged to have minimal time, cost or design implications were generally omitted. The effect was small in Edinburgh but of greater significance in Dublin. In the latter city a lengthy list of routine conditions was almost invariably attached to a grant. These would include requirements that the plans comply with the building bylaws, that the fire, water, sewerage and roads departments be consulted, and so forth. In many cases such conditions were simply a restatement of the legal position and were not considered to be pertinent to the data needs of the present study. Full details of the number of conditions recorded are contained in Table 4.1 and the condition codes used in Edinburgh can be found in Appendix 2. In a similar fashion, five columns were provided to record the reasons given for a refusal of planning permission (columns EREF_REASON1 to EREF_REASON5). In the event only four columns were required for Edinburgh. The full details are to be found in Table 4.1 and the refusal codes used are in Appendix 3.

An indication of the floor area of proposed developments was an important constituent of the data requirements. As previously indicated such data were not directly available. Initially the Edinburgh District Council Planning Department granted access to the files on planning applications. Unfortunately, obstruction by the chief filing clerk resulted in a reversal of the Deputy Director's decision. To some extent it proved possible to by-pass the filing section, as the Department provided a printout of such computerised data as they had and copies of their half-yearly reports on approved office developments. Figures were obtained in the case of 591 applications, leaving 850 missing values (column EGROSS_AREA). The available data is strongly biased towards the larger new office developments, so it is likely that considerably in excess of half the actual floor area involved over the period has been accounted for. Change of use to non-office purpose applications were of lesser interest. To limit the work floor area figures for these were not specifically sought, but were obtained for 89. There was a total of 316 change of use to non-office use applications in Edinburgh. It is the policy of both the Edinburgh and Dublin planning departments to use the Gross Construction Area method for expressing floor area, which policy has been adhered to in the present study.[5] All area figures in the database are expressed in square metres (1 square metre equals 10.76 square feet).

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[5]Gross Construction Area is the total floor area of a building measured to the inside (outside in USA) of the exterior walls. Lettable Area is the GCA less areas such as stairs, lift shafts and ventilation

TABLE 4.1

TABLE EDINDATA

EPLANNO	ELODGEDATE	EAPPLICANT	ETITLE_APP	EADDRSS_STNO	EADDRSS_BLDG	EADDRSS_STNAME	EADDRSS_SUBURB	EADDRSS_CITY	ESITE_STNOST1	ESITE_STNO_END1
The application number - first two digits give the year.	The date of lodging.	The applicants name.	The applicant's title if a person (Mr, Mrs, etc)	The street number of the applicant's address.	The building name of the applicant's address.	The street name of the applicant's address	The suburb name of the applicant's address.	The city name of the applicant's address.	Starting (lower) street number of the site.	Ending (upper) street number of the site.
1441 cases	1440 cases	1441 cases	Recorded	for 412	post 1st	January	1983	applications.	1441 cases	1441 cases
None missing	1 missing	None missing							None missing	None missing
None null	None null	None null							None null	None null
ESITE_STNAME1	ESITE_STNOST2	ESITE_STNOEND2	ESITE_STNAME2	ESITE_STNOST3	ESITE_STNOEND3	ESITE_STNAME3	ESITE_STNOST4	ESITE_STNOEND4	ESITE_STNAME4	ESCHEME
Name of the street which site is on.	Starting (lower) street number of the site.	Ending (upper) street number of the site.	Name of second street (if applicable)	Starting (lower) street number of the site.	Ending (upper) street number of the site.	Name of third street (if applicable)	Starting (lower) street number of the site.	Ending (upper) street number of the site.	Name of fourth street (if applicable)	The type of scheme, e.g. NEWO.
1441 cases	Used	as	required	if	more	than	one	street	given	1441 cases
None missing										None missing
None null										None null.
EALT_APP_PLANS	ETYPE_APP	EDECISION	ESPLIT_DEC	EDEC_DATE	ECONDITION1	ECONDITION2	ECONDITION3	ECONDITION4	ECONDITION5	EREF_REASON1
Is the scheme an alteration of present plans?	The type of permission, e.g. outline.	The decision on the application.	If split i.e. part granted and part refused.	The date of the decision.	Condition of a grant of permission.	Condition of a grant of permission.	Condition of a grant of permission.	Condition of a grant of permission.	Condition of a grant of permission.	Reason for a refusal of permission.
1441 cases	1423 cases	1441 cases	1441 cases	1425 cases	431 cases	178 cases	93 cases	48 cases	21 cases	251 cases
None missing	18 missing	None missing	None missing	7 missing	None missing	None missing	None missing	None missing	None missing	8 missing
None null	None null	None null	None null	9 null	1010 null	1263 null	1348 null	1393 null	1420 null	1182 null
EREF_REASON2	EREF_REASON3	EREF_REASON4	EREF_REASON5	EGROSS_AREA	ECONS_AREA	ELISTED_BLDG	EDEC_PERIOD	ESPECIAL_COMMENT	ED_BLOCKNO	ED_GRIDSQUARE_NO
Reason for a refusal of permission.	Reason for a refusal of permission.	Reason for a refusal of permission.	Reason for a refusal of permission.	The gross area of the office content.	Whether part of a Conservation Area	Whether subject to Listed Building provisions.	The length of the decision period in days.	Special comment in unusual cases.	The city block number of the site in the central area.	The national grid square number
112 cases	28 cases	6 cases	No cases	591 cases	677 cases	1441 cases	1424 cases	29 cases	Not used.	1411 cases
None missing	None missing	None missing	None missing	850 missing	None missing	None missing	8 missing	None missing		None missing
1329 null	1413 null	1435 null	1441 null	None null	764 null	None null	9 null	1412 null		30 null

ducts. Usable Area excludes toilets, foyers, etc as well. (Building Owners and Managers Association International, 1980 and Irish Statutory Instrument 348 of 1984.

TABLE 4.2

Oracle Table for Edinburgh Planning Appeals

TABLE EDINAPPEALS				
EPLANNO	EAPPEAL_TYPE	EAPP_DEC_DATE	EAPP_DECISION	EAPP_CONDITION1
The planning application number.	The type of appeal, e.g. third party.	The date of the appeal decision.	The decision of the Sec. of State.	Condition attached to a grant.
59 cases	Not used	57 cases	59 cases	10 cases
None missing		2 missing	None missing	None missing
None null		None null	None null	49 null
EAPP_CONDITION2	EAPP_CONDITION3	EAPP_CONDITION4	EAPP_CONDITION5	EAPP_REF_RESN1
Condition attached to a grant.	Condition attached to a grant.	Condition attached to a grant.	Condition attached to a grant.	The reason for a refusal.
6 cases	1 case	No cases	No cases	29 cases
None missing	None missing	None missing	None missing	
53 null	58 null	59 null	59 null	
EAPP_REF_RESN2	EAPP_REF_RESN3	EAPP_REF_RESN4	EAPP_REF_RESN5	EAPPEAL_D_PER
The reason for a refusal.	The reason for a refusal.	The reason for a refusal.	The reason for a refusal.	The time between the LPA and appeal decisions.
11 cases	2 cases	No cases	No cases	56 cases
				3 missing
				None null

Details of whether or not all or part of a development site fell within a Conservation Area are contained in the column ECONS_AREA. These data only cover the centre of Edinburgh, as defined in Map 4.3. Conservation Areas cover the older parts of the city and are thus mostly in or near the central area. The majority of planning applications outside the central area would thus not have been located in Conservation Areas. Due note has been taken of the dates of proclamation of the Conservation Areas and subsequent boundary alterations. The data cover 677 cases and there are 764 null (non-central) values.

The column ELISTED_BLDG contains data on whether or not a development site included all or part of a Listed Building. In some cases only a small part of the site was so affected, but it was impractical to quantify the fact. The data covers the full study area and there were no missing or null values.

The length of the decision period was calculated automatically by an Oracle routine, using the lodge date and the decision date to calculate the difference between them in

days. Due allowance was automatically made for leap years. The decision period was available for 1,424 cases, was missing for 8 cases and null for 9 cases (column EDEC_PERIOD).

The remaining columns comprise ESPECIAL_COMMENT, providing for a short note in unusual cases, ED_BLOCKNO, which was not actually implemented, and ED_GRIDSQUARE_NO. The latter contains the national grid square number of the application site. It was used as the link between the database and the small scale city maps. Data was available for 1,411 cases and there were 30 null values. The latter were where the site was outside the area of the map in a location such as South Queensferry. For the central area the Ordnance Survey 1:1,250 map sheets were used to locate application sites. Outside this area the Bartholomew's 1:15,000 Edinburgh City Plan (1984) was used, with the consequence that for a few long streets the actual grid square was estimated.

The Edinburgh appeals data structure is summarised in Table 4.2. It can be seen that 59 appeals were made in respect of office planning applications during the study period. The second column (EAPPEAL_TYPE) proved not to be required as appeals by parties other than the applicant are not permitted in Scotland. EAPP_DEC_DATE records the date of the appeal decision and EAPP_DECISION the decision made by the Secretary of State. Columns EAPP_CONDITION1 to EAPP_CONDITION5 contain details of planning conditions attached to an appeal grant, while the next five columns contain information on refusal reasons. In the latter case the reasons are usually the same as those given in respect of the local planning authority's decision. Column EAPPEAL_D_PER records the time in days between the local planning authority's decision and the appeal decision.

Table 4.3 contains the details of the Dublin planning applications database. The data collected and their organisation are essentially the same as for Edinburgh. Thus it is not proposed to duplicate the earlier discussion in connection with Table 4.1. The following points, however, should be noted. There was a larger volume of planning applications in Dublin during the study period, than was the case in Edinburgh, with the result that 2,025 office planning applications are included in the database. In some cases Dublin office development proposals covered large and complex sites, with the result that the information in columns SITE_STNO_ST1 to SITE_STNAME4 occasionally constitutes an incomplete site description.

The column HOUSING_ACT contains details of whether or not a property was affected by the Irish Housing Acts. Five columns contain condition codes. As

previously indicated, these constitute those selected as being relevant to the present study.

Details of the gross floor areas of Dublin office planning applications are recorded in the GROSS_AREA column. There were no administrative obstacles to obtaining access to the original files of planning applications in Dublin. For most new office proposals it was found that the gross office floor area was usually clearly indicated in either the architect's submission or the planning officer's report. The only difficulties involved the number of files, the fact that all pre 1982 files had been archived and the fact that some files had been lost. Attempts to collect areas for change of use schemes showed that areas were usually not indicated except for certain of the larger schemes. The data could have been calculated from the plans, but it was decided that given the available time it was not possible to do this. A decision was taken, therefore, to obtain data only for the new office schemes, but that already obtained for 44 out of the 876 change of use schemes has been included. To further reduce the need to refer to the files a number of published sources of Dublin floor area information were also used. These comprised Malone (1981), (1983), and (1985), The Dublin Office Review (1986) and McDonald (1985). All five sources used the Net Lettable Area measure to express the office content of developments. Malone (1985, p8) reports that Net Lettable Area has generally been considered to be 80 per cent on average of the Gross Construction Area. Personal communication with Malone confirmed that much of his data had simply been scaled down from the figure in the Dublin Corporation files using the above percentage, so the process was reversed in the present study to re-obtain a gross area (thus net areas were multiplied by a factor of 1.25). These sources covered new office developments actually built, and grants of office planning permission made between 1st November 1976 and 31st October 1983. In all the sources only developments with a net lettable area exceeding 2,000 square feet (186 square metres) were covered.

During the course of the data collection exercise a few instances of data duplication arose and this allowed very limited checking of Malone's data. In one or two of these instances Malone's Net Lettable Area figure was found to be the same as the Gross Area figure in the Corporation files, as in the case of scheme 83/0642 where Malone records a net office area of 34,733 square feet (3,227 square metres) and the files a gross office area of 3,225 square metres. There would appear, therefore, to have been some inconsistency in his use of net and gross areas. In one case, namely application 80/3488 by the Dublin Port and Docks Board, Malone records a figure of 2,000,000 square feet (185,806 square metres) whereas the file indicated that only 100,000 square metres (1,076,000 square feet) had actually been approved. At that stage,

however, it was not practical to check all the other area data and the balance of the material derived from the above surveys was accepted at face value. Gross floor area data was finally obtained for 971 planning applications, including 889 out of 995 new construction office schemes. Of this, all the data relating to refused applications, and slightly over half that relating to other applications was derived directly from the Corporation files.

The column LISTED_BLDG contains details of whether there were any buildings on the site which were listed for preservation in the 1971 development plan or the 1980 development plan. The column CONS_AREA indicates whether or not all or part of a site lay within a designated Conservation Area. A total of 749 planning application sites lay outside the defined central area (Map 4.4), so recorded as null values. Twelve were within the central area but not covered by Map 6 of the Dublin City Development Plan (1980), so recorded as missing. Almost all of the missing and null cases would not have been in Conservation Areas.

The length of the decision period was automatically calculated and is recorded in column DEC_PERIOD. The 73 null values relate to applications where, for a variety of reasons (often involving the Housing Act), no decision was ever made. If the Corporation requested that the applicant provide additional information about some aspect of the application this is noted in column ADD_INFO. Finally, DUB_GRIDSQUARE_NO contains a national grid square number for the site.

The Dublin planning appeals data are summarised in Table 4.4. There were 551 appeals made to An Bord Pleanála[6] during the study period. APPEAL_TYPE indicates whether the appeal was made by the applicant or a third party. APP_DEC_DATE contains the date of the appeal decision and APP_DECISION the decision itself. The next five columns record the conditions attached to an appeal grant of planning permission. Unlike the Corporation, An Bord Pleanála made only limited use of conditional grants (48.8 per cent of cases) and did not attach a list of routine conditions. Five columns were provided to record refusal reasons and these were generally the same as those stated by the Corporation (except where a grant of permission was reversed on appeal). The period between the Corporation's decision on the application and the appeal decision date is recorded in APPEAL_D_PER.

[6]The Minister for Local Government prior to the 15th March 1977.

TABLE 4.3

Oracle Table for Dublin Planning Applications

TABLE DUBLINDATA

PLANNO	LODGEDATE	APPLICANT	TITLE_APP	ADDRSS_ST_NO	ADDRSS_BLDG	ADDRSS_ST_NAME	ADDRSS_SUBURB	ADDRSS_CITY	SITE_STNO_ST1	SITE_STNO_END1
The application number - first two digits give the year.	The date of lodging.	The applicants name.	The applicant's title if a person (Mr, Mrs, etc)	The street number of the applicant's address.	The building name of the applicant's address.	The street name of the applicant's address	The suburb name of the applicant's address.	The city name of the applicant's address.	Starting (lower) street number of the site.	Ending (upper) street number of the site.
2025 cases	2025 cases	2025 cases	Recorded	for 510	post 1st	January	1983	applications.	2025 cases	2025 cases
None missing	None missing	None missing							None missing	None missing
None null	None null	None null							None null	None null
SITE_STNAME1	SITE_STNO_ST2	SITE_STNO_END2	SITE_STNAME2	SITE_STNO_ST3	SITE_STNO_END3	SITE_STNAME3	SITE_STNO_ST4	SITE_STNO_END4	SITE_STNAME4	SCHEME
Name of the street which site is on.	Starting (lower) street number of the site.	Ending (upper) street number of the site.	Name of second street (if applicable)	Starting (lower) street number of the site.	Ending (upper) street number of the site.	Name of third street (if applicable)	Starting (lower) street number of the site.	Ending (upper) street number of the site.	Name of fourth street (if applicable)	The type of scheme, e.g. NEWO.
2025 cases	Used	as	required	if	more	than	one	street	given	2025 cases
None missing										None missing
None null										None null.
ALT_APP_PLANS	TYPE_APP	HOUSING_ACT	DECISION	DEC_DATE	CONDITION1	CONDITION2	CONDITION3	CONDITION4	CONDITION5	REF_REASON1
Is the scheme an alteration of present plans?	The type of permission, e.g. outline.	Whether subject to the Housing Acts.	The decision on the application.	The date of the decision.	Condition of a grant of permission.	Condition of a grant of permission.	Condition of a grant of permission.	Condition of a grant of permission.	Condition of a grant of permission.	Reason for a refusal of permission.
2025 cases	1949 cases	2025 cases	2025 cases	1949 cases	622 cases	228 cases	77 cases	15 cases	1 cases	615 cases
None missing	76 missing	None missing	None missing	3 missing	None missing	None missing	None missing	None missing	None missing	8 missing
None null	None null	None null	None null	73 null	1403 null	1797 null	1948 null	2010 null	2024 null	1402 null
REF_REASON2	REF_REASON3	REF_REASON4	REF_REASON5	GROSS_AREA	CONS_AREA	LISTED_BLDG	DEC_PERIOD	DUB_GRIDSQUARE_NO	ADD_INFO	
Reason for a refusal of permission.	Reason for a refusal of permission.	Reason for a refusal of permission.	Reason for a refusal of permission.	The gross area of the office content.	Whether part of a Conservation Area	Whether subject to Listed Building provisions.	The length of the decision period in days.	The national grid square number	Whether the PA requested additional information.	
397 cases	174 cases	61 cases	14 cases	971 cases	1264 cases	2025 cases	1949 cases	2024 cases	2025 cases	
None missing	None missing	None missing	None missing	1054 missing	12 missing	None missing	3 missing	1 missing	None missing	
1628 null	1851 null	1964 null	2011 null	None null	749 null	None null	73 null	None null	None null	

TABLE 4.4

Oracle Table for Dublin Planning Appeals

TABLE DUBLINAPPEAL				
PLANNO	APPEAL_TYPE	APP_DEC_DATE	APP_DECISION	APP_CONDITION1
The planning application number.	The type of appeal, e.g. third party.	The date of the appeal decision.	The decision of the An Bord Pleanála.	Condition attached to a grant.
551 cases	551 cases	542 cases	551 cases	124 cases
None missing	None missing	9 missing	None missing	None missing
None null	None null	None null	None null	427 null
APP_CONDITION2	APP_CONDITION3	APP_CONDITION4	APP_CONDITION5	APP_REF_RES N1
Condition attached to a grant.	Condition attached to a grant.	Condition attached to a grant.	Condition attached to a grant.	The reason for a refusal.
45 cases	17 case	5 cases	No cases	228 cases
None missing	None missing	None missing	None missing	
506 null	534 null	546 null	59 null	
APP_REF_RES N2	APP_REF_RES N3	APP_REF_RES N4	APP_REF_RES N5	APPEAL_D_PER
The reason for a refusal.	The reason for a refusal.	The reason for a refusal.	The reason for a refusal.	The time between the LPA and appeal decisions.
142 cases	70 cases	21 cases	2 cases	541 cases
				10 missing
				None null

AUTOMATED MAPPING:

In view of the large size of the planning applications database, it was evident that manual preparation of maps of selected characteristics of office development would be extremely time consuming. Automation of the process through the creation of a Geographical Information System appeared to offer considerable advantages, namely:

1] rapid production of map output;

2] great flexibility in selecting the contents of maps and the presentation format; and

3] the establishment of a system capable of being used for other purposes beyond those of the present thesis.

The main disadvantage lay in the initial investment, mostly of time, in the establishment of the system, but the potential benefits were considered sufficient to

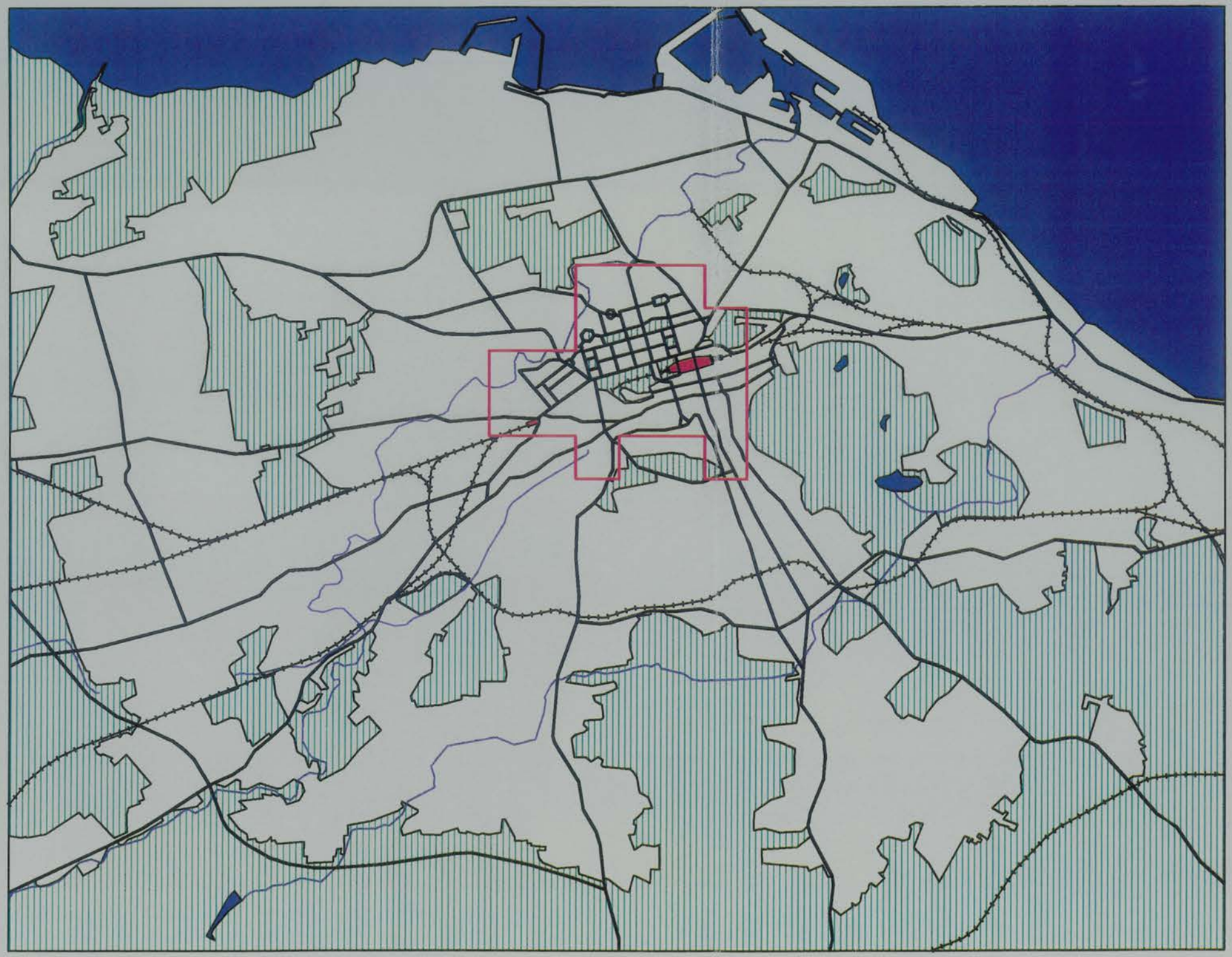
warrant proceeding with the creation of the GIS. The ARC/INFO[7] computer cartography and GIS package was selected to provide the mapping capability as it could be interfaced to the Oracle database through the Database Integrator software and it was available within the Geography Department. ARC/INFO is a sophisticated cartographic package with reasonable data handling capabilities, great flexibility and high quality output.[8]

The first stage in establishing the GIS involved the acquisition of suitable digital maps for both cities. The majority of office development is concentrated in the city centres. It was decided that for these areas the requirement was for a map that would allow individual sites to be identified. Thus for the central areas the Ordnance Survey (GB) 1:1,250 map series was used for Edinburgh and the Ordnance Survey (Ireland) 1:1,000 map series for Dublin. For the remaining areas the density of planning applications was such that large scale mapping could not be justified. For these non-central areas the base maps used were the Bartholomew's 1:15,000 Edinburgh City Plan (1984) and the Ordnance Survey (Ireland) 1:20,000 Dublin Street Map.

Digital versions of the 1:1,250 Edinburgh map sheets NT 2474 NE (1971), NT 2472 SE (1981), NT 2574 NW (1983), NT 2574 SW (1969), NT 2574 NE (1971), NT 2574 SE (1976), NT 2473 NE (1969), NT 2573 NW (1969) and NT 2573 NE (1969) were available in whole or in part within the Department as they had formed a part of an M.Sc. thesis (Westwood, 1985). By generous permission of the author it was possible to incorporate these without modification in the present work. For the remainder of the areas no digital coverage was available at the time (and it would have been unaffordable in any case). It was necessary, therefore, to digitise the balance of the map needs. The central area coverage of both cities was selected to maximise the inclusion of office development sites while minimising the number of map sheets that were required.

[7]Arc/Info is a registered trade mark of Environmental Systems Research Institute (ESRI) Incorporated of Redlands, California, USA.
[8]For further details see ESRI (1987,1989), Volume 1.

MAP 4.1: City of Edinburgh District

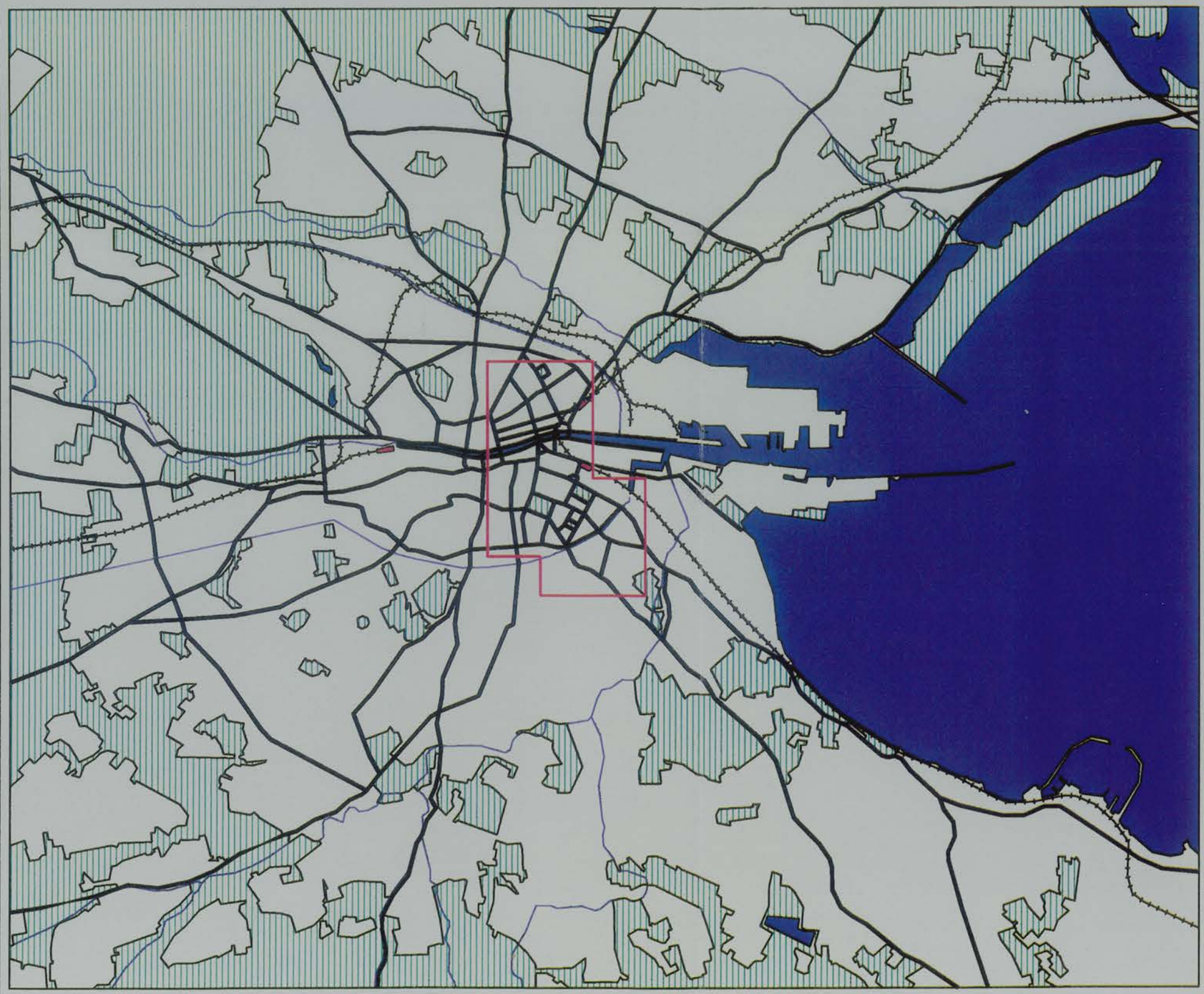


KEY

- Urban Area
- Main Railway Station
- Loch or Sea
- Rural Area, Open Space or Park
- Central Area
- River
- Principal Road
- Railway

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 4.2: Dublin County Borough



SCALE 1 : 70,000

Kilometres

KEY

- Urban Area
- Main Railway Station
- Lough or Sea
- Rural Area, Open Space or Park
- Central Area
- River or Canal
- Principal Road
- Railway

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

For Edinburgh digitising of most of the incomplete areas of the above named map sheets was undertaken, and the area was expanded to include a further twelve sheets, namely NT 2373 NE (1984), NT 2373 SE (1984), NT 2473 NW (1970), NT 2473 SW (1978), NT 2473 SE (1984), NT 2472 NE (1982), NT 2573 SW (1982), NT 2573 SE (1984), NT 2674 SW (1984), NT 2673 NW (1979), NT 2673 SW (1976) and NT 2672 NW (1983). All the 1:1,250 sheets were the latest available SIM[9] updates.

For central Dublin fourteen Irish Ordnance Survey 1:1,000 map sheets were obtained and digitised. The maps were 3197-25(1970), 3263-5(1970), 3263-10(1970), 3263-15(1970), 3263-20(1969), 3198-21(1970), 3264-1(1970), 3264-6(1969), 3264-11(1969), 3264-16(1969), 3264-21(1969), 3264-12(1969), 3264-17(1969) and 3264-22 (1969). The maps incorporated amendments made by Dublin Corporation in respect of new developments, demolitions, etc. completed between the dates of publication and 1987.

The features in the city wide Edinburgh and Dublin maps comprise the coastline, lochs, principal rivers and roads, railway lines, canals, main railway stations, canals and the main parks and other open space areas. Both maps were overlain with a 1 kilometre by 1 kilometre grid corresponding to the respective National Grids. The resultant maps are illustrated in Maps 4.1 and 4.2. The Dublin map is at a slightly smaller scale, since the city is larger.

The digitising process was more complex for the large scale coverage of the central areas. The digitised features comprised the property boundaries,[10] parks, rivers, canals, railways, stations, and roads.[11] The property boundaries used do not necessarily correspond to the pattern of land ownership, but rather distinguish between the individual buildings (and their associated grounds). Particularly in Dublin the base maps often included internal ground floor building boundaries (e.g. between two shops sharing the ground floor of one building) making it difficult to distinguish these from the external building divisions. It is likely, therefore, that the Dublin computer map records more individual buildings of a smaller average size than actually exist. For the purposes of the present study, however, it has no effect (or very little) on the identification of office development sites.

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[9]Survey Information on Microfilm.

[10]In so far as it was possible to identify these.

[11]The roads constitute a residual class, in that they are all the areas not otherwise classified. They thus include pavements and other land extending from the actual carriageway up to the property boundary.

Once each individual map sheet had been digitised, the coverages[12] were put through a process of error correction and topology creation known as cleaning. The process transformed the digitised lines into a system of closed polygons such that every part of the coverage was included in a unique identifiable polygon. As part of the process the area of each polygon (in hectares) was automatically calculated and each given an identification number. At this stage the individual coverages (sheets) were also merged to produce a single coverage for each city. The ARC/INFO Edgematching utility was used which matches features on adjoining coverages by a rubber sheeting process.[13] There were some difficulties with the matching process, mainly in Edinburgh, which arose from some of the base maps being more up-to-date than others. Some new developments straddling a sheet boundary were sometimes only shown on the more recent map. Such problems were corrected as best as possible but without a ground survey it can only be approximate. The final central area maps are shown in Maps 4.3 and 4.4. The Dublin map is at a slightly smaller scale than the Edinburgh equivalent. This is because the maps are plotted at the largest size that would fit the paper, and Dublin has the larger central area.

With the completion of the central area coverages, the respective polygon attribute tables (PAT's) were created. A PAT is an ARC/INFO file in which all the polygons in a coverage are listed together with the internal and user generated identification numbers, the length of the polygon perimeter and its area. Additional columns can then be added to the PAT to record any desired characteristics or attributes of the polygons. For both Edinburgh and Dublin a column was created to record land-use according to the following simple classification:

Landuse 1 - Buildings;
Landuse 2 - Rivers, canals, lochs;
Landuse 3 - Railway lines;
Landuse 4 - Main railway stations;
Landuse 5 - Parks/open space;
Landuse 6 - Roads/paths.

A statistical summary of the final coverages for both central Edinburgh and Dublin using the above classification is contained in Table 4.5.

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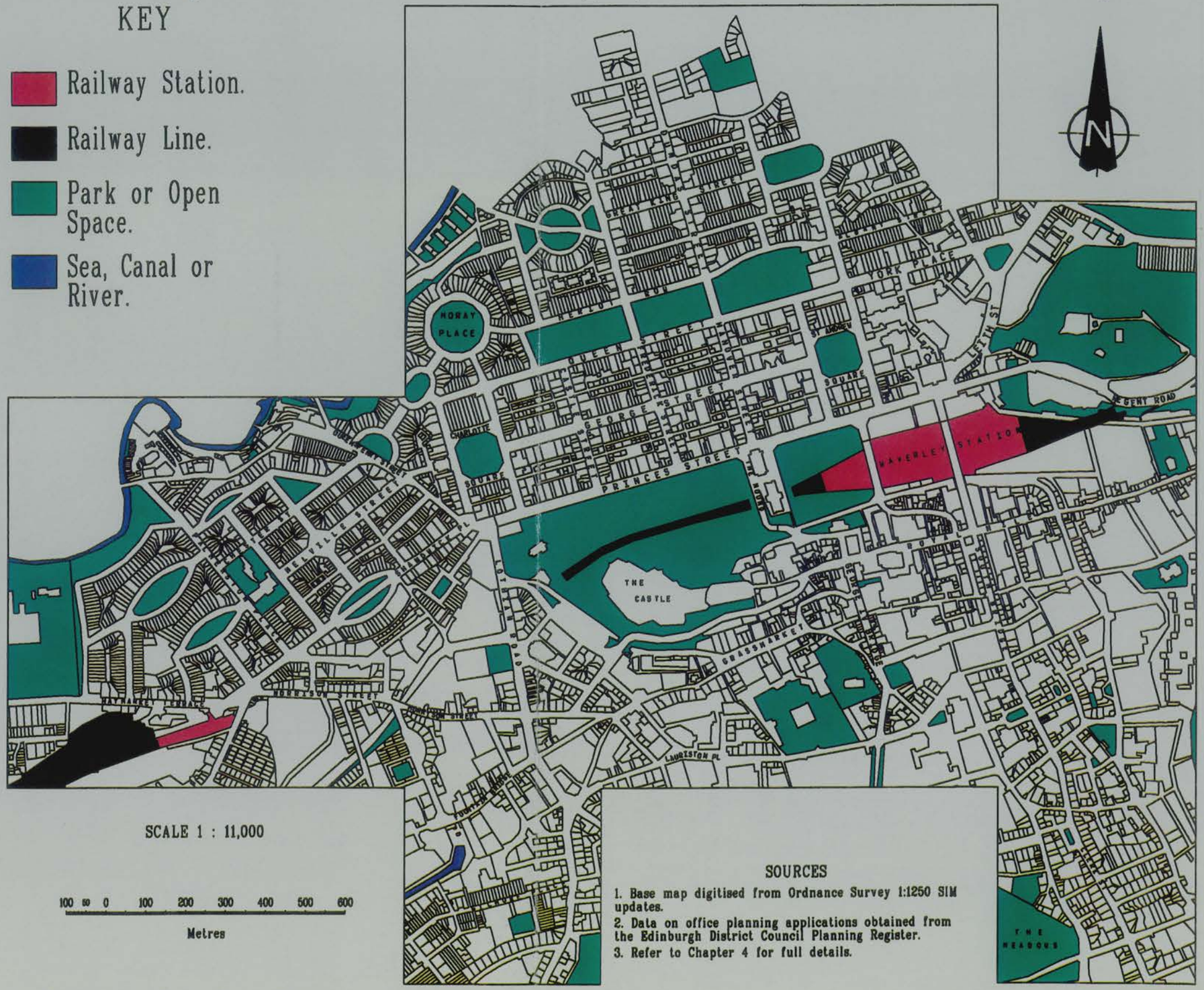
[12]Coverage is an Arc/Info term used to describe the set of computer files used to store the data comprising a digitised map. The term map is used only to describe the product of drawing a coverage either on the terminal or on paper.

[13]Rubber sheeting is a mathematical process by which the edge of one coverage is stretched or compressed so that the features match those in an adjoining coverage.

MAP 4.3: Map of Individual Buildings / Sites in Central Edinburgh

KEY

- Railway Station.
- Railway Line.
- Park or Open Space.
- Sea, Canal or River.



SCALE 1 : 11,000

100 50 0 100 200 300 400 500 600

Metres

SOURCES

1. Base map digitised from Ordnance Survey 1:1250 SIM updates.
2. Data on office planning applications obtained from the Edinburgh District Council Planning Register.
3. Refer to Chapter 4 for full details.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 4.4: Map of Individual Buildings / Sites in Central Dublin

Sources: 1. Base Map digitised from 1:1,000 scale Ordnance Survey of Ireland maps. 2. Planning data from Dublin Corporation Register. 3. See Chapter 4 for full details.
Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, Univ. of Edinburgh.

TABLE 4.5

Land Use in the Central Cities

CENTRAL DUBLIN				
LAND USE	TOTAL AREA	AVERAGE AREA	PER-CENTAGE	NUMBER OF CASES
1	488.2	0.05	72.7	9,618
2	16.9	0.85	2.5	20
3	3.5	0.44	0.5	8
4	3.7	1.23	0.6	3
5	37.5	0.83	5.6	45
6	122.3	n/a	18.2	10
TOTAL	672 ha		100	9,705

CENTRAL EDINBURGH				
LAND USE	TOTAL AREA	AVERAGE AREA	PER-CENTAGE	NUMBER OF CASES
1	241	0.05	51.3	4,495
2	2.2	0.27	0.5	8
3	5.7	1.43	1.2	4
4	6.3	1.59	1.4	4
5	73.7	0.92	15.7	80
6	140.3	n/a	29.9	14
TOTAL	469.3		100	4,605
Undigitised	55.7			

Notes: All areas are stated in hectares. No average area is given for roads (Landuse 6) as the number of separate units is an artefact of the map and not a product of reality.

The final stage in the establishment of the GIS was to link all the coverages to the Oracle database. In the case of the two city-wide small scale coverages no further work was necessary. This was because the GRID_SQUARE columns in the database directly related to the corresponding 1km grid squares of the map. For the central areas, however, a more complex link was required.

The reason for this lies in the many-to-many nature of the links that can exist between planning applications and development sites. In other words there can be several planning applications relating to one site and/or several sites affected by one planning application. The relationship to the 1km grid squares, on the other hand, was many-to-one (many applications to one square), because each application was treated as being in only one grid square. Unfortunately Arc/Info will only handle a one-to-one or one-to-many (one application affecting many sites) relationship. That is one query

of the Oracle database should return only one attribute for each polygon (site or grid square). Thus the query might retrieve a colour to be used to shade each polygon. The practical effect is that the database must be pre-processed to extract one attribute for each polygon before accessing the link to the city centre maps. To facilitate this process two additional Oracle tables were created, one for each city. These contain a list of all the central area planning application numbers and the polygon identification numbers of the sites they relate to. Thus to produce any particular map, the table of identification numbers and the planning application table would be used to create a new table containing only the polygon numbers and a corresponding attribute, such as a count of the number of applications affecting the site, the average area of such applications, or a count of the number of planning appeals affecting the site. Arc/Info would then be linked to the new temporary table and the chosen query executed to produce a map of the selected characteristic.

CONCLUSION:

Despite the fact that the study not only seeks to compare two different cities, but involves an international comparison as well, it has been possible to obtain two almost identical data sets. The only major problem related to acquiring data on office floor areas and consequently that data is incomplete and has somewhat different characteristics in the two cities. A small amount of extra data was collected for Dublin (covering the Housing Act and requests for additional information) due to differences in the legislation, and the data available.

CHAPTER 5

THE PLANNING CONTROL SYSTEMS COMPARED - PART 1

INTRODUCTION:

Having examined the legislative framework in place in Edinburgh and Dublin, and reviewed the collection of data, we can now proceed to the analysis. This has been divided into three logical themes. The first theme comprises the comparison of the whole database of office planning applications for Edinburgh with that for Dublin. Comparing global statistics in this way, however, constitutes only one aspect of the complexity of the data. The hypotheses set out in Chapter 2 and the accompanying discussion indicated that the temporal and intra-urban spatial characteristics of the effects of planning control could be equally significant. These aspects will thus also be analysed in detail. For convenience this chapter contains the lengthy and complex investigation and comparison of the global statistics. The two shorter analyses of the temporal and spatial characteristics follow in the next chapter.

The analysis is arranged into seven main sections. These are:

1 numbers of applications;
2 applications classified according to type;
3 decisions on development proposals;
4 analysis of gross office floor areas;
5 analysis of decision periods;
6 the impact of conservation provisions;
7 planning conditions and refusal reasons.

The sections are closely based on the structure of the data, and have been designed to present the analyses in a logical progression. They do not, though, correspond exactly to the eight hypotheses of the thesis. This is because some of the hypotheses, such as A, B, and C, are more complex than might initially appear. Thus different aspects of them are analysed in many of the sections. These hypotheses propose that Dublin has had a higher proportion of planning applications granted permission. An analysis of the numbers of applications is a key part of this, but further characteristics need to be considered. Planning decisions may vary according to the type of application, the size of the scheme, or the location. Further, decisions can be measured in different ways, such as a simple count or by using the gross floor area. A range of analytical work, mostly falling into sections' one to four, is thus required to adequately investigate these three hypotheses. Hypothesis F relating to spatial variations in the pattern of development, is the most extreme case. It can be investigated in terms of almost every

variable in the database. It thus relates to the whole of the third theme. On the other hand, some hypotheses (such as H relating to conservation) relate fairly directly to a specific section (in this example number six above).

As a further complication there are two stages within the development control process. These occur after the initial determination of planning applications and after the determination of any appeals when the final outcome becomes known. This gives rise to three sets of statistics, namely those relating to planning applications, those relating to planning appeals, and those which reflect the final outcome. Therefore within each section the analysis is generally divided into these three levels.

There are three additional points that require to be made. Firstly, the planning applications data collected covered all developments involving offices. As a change of use to non-office purposes involves a loss of office space and is thus the opposite of the other types of office development, analysis of such cases is given separately. These cases are also of lesser relevance to the present study, so the consideration is less detailed. All the figures and data quoted thus exclude change of use to non-office schemes unless otherwise stated. Secondly, the Irish Housing Act complicated the picture in Dublin. Where the effects of the Act are noticeable and of relevance, cases affected by it are identified. Finally, it should be borne in mind that a grant of planning permission does not imply that the development was actually undertaken. In addition several planning applications might relate to one site. These might be alternative, rather than additional developments of offices, perhaps because of a change of ownership. They could also be an approval of details application following on from an outline application. For these reasons the relationship between what development actually took place and what planning applications show to have been possible is complex. Thus the numbers of developments, total areas, and other results do not directly correspond to what has actually been carried through into physical features by developers. A detailed ground survey would have been necessary to determine the latter and was beyond the scope of the present work.

AN ANALYSIS OF OFFICE PLANNING APPLICATIONS:

1 NUMBERS OF APPLICATIONS

An obvious and important difference between office planning applications made during the period 1976 to 1985 in the two cities is that the number was considerably higher in Dublin at 1,929 plus 96 change of use to non-office schemes, than in

Edinburgh with 1,125 plus 316 change of use to non-office schemes. The difference, however, is roughly in proportion to the population differential between the two. There is also a difference in the number of planning appeals lodged. In Dublin there were 534 appeals compared to only 55 in Edinburgh, with an additional 17 relating to change of use to non-office schemes in Dublin and 4 in Edinburgh. Clearly appeals are relatively much more common in Dublin. A number of explanations might be offered, such as the existence of third party appeals in Ireland, a higher probability of a successful outcome or there being relatively more refusals to appeal against. The possibilities will be considered in later sections. The applications can be divided into six different categories of office development scheme, namely new office space construction, a change of use to office space, a change of use from office space to a non-office use, a combined change of use to office and new office construction scheme, a rearrangement of office space involving some office space being converted to non-office use and some non-office space being transferred to office use, and a change from one type of office use to another (applies in Edinburgh only). Hereafter, these scheme types will be referred to as NEWO, CUTOO, CUTON, CU+NO, ON>NO, and CUOTO respectively.

Figure 5.1 shows the results of such a classification in both absolute and proportional forms. There are substantial differences in that Dublin is dominated by new construction (49.1 per cent of applications) and Edinburgh by change of use to office space (60.6 per cent of applications). Edinburgh also has over four times the proportion of CUTON applications (21.9 per cent compared to 4.7 per cent). It should be noted, however, that there were 132 Dublin planning applications involving an alteration to existing approved plans ranging from minor design changes to virtually a fresh proposal. In Edinburgh there were only four such proposals. These cases primarily involved NEWO schemes. The difference could reflect that such alterations are rarely considered by the Edinburgh District Planning Authority (DPA) to constitute a separate planning application and thus are not recorded. Alternatively it could be due to a genuine lower level of alteration of proposals. It is probably the case, though, that there is an overstatement of the difference in the proportion of NEWO schemes. However, even discounting all alteration to plans schemes does not invalidate the findings.

FIGURE 5.1

Planning Application Scheme Types in Edinburgh and Dublin

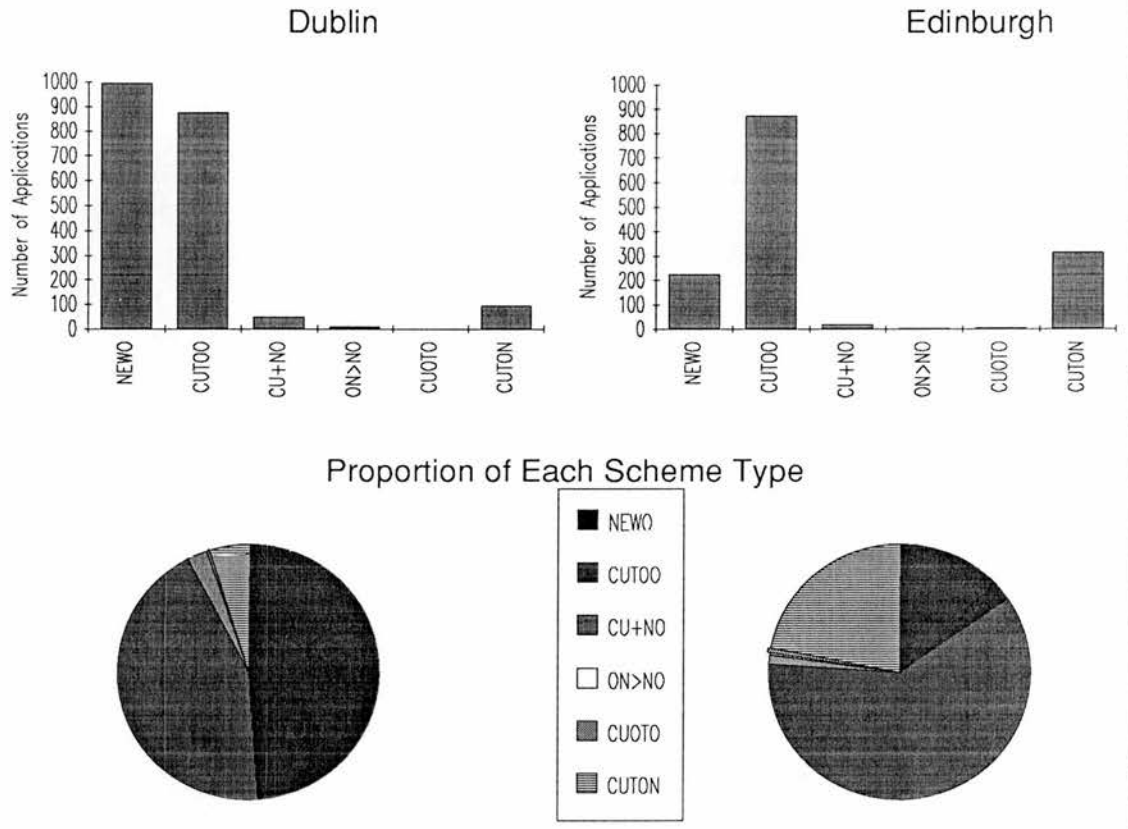
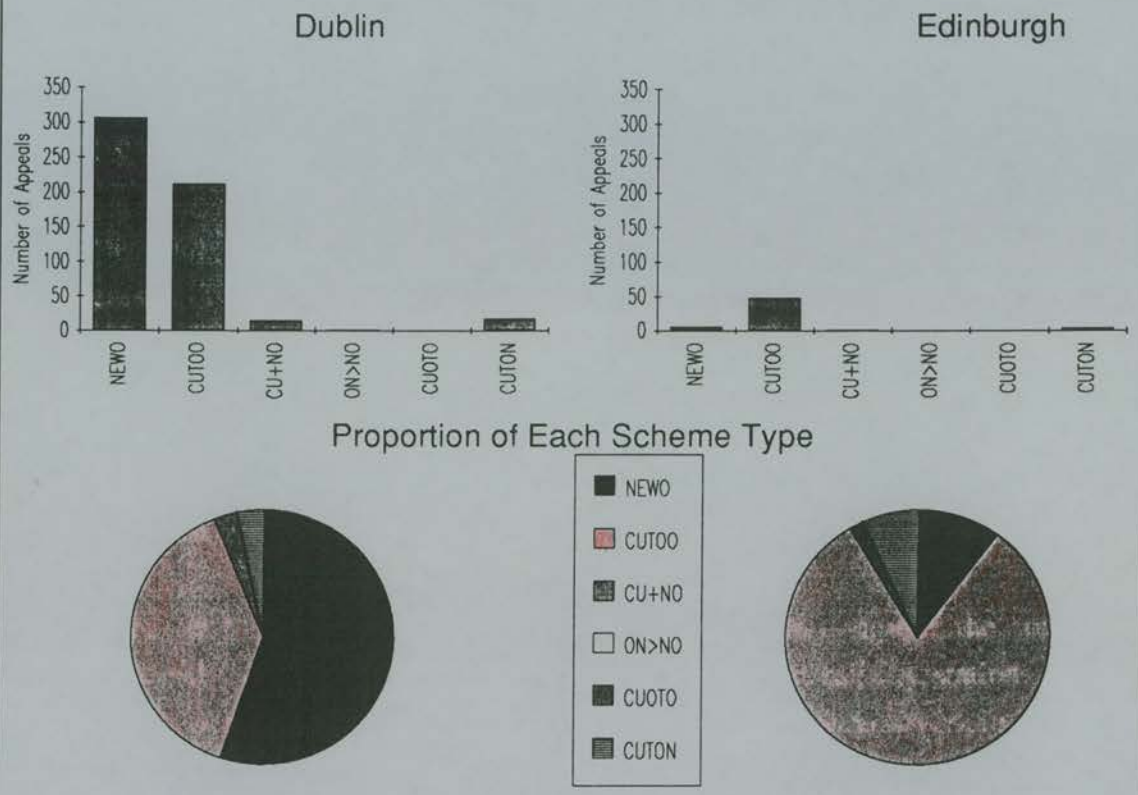


Figure 5.2 shows the breakdown of planning appeals using the same classification. In absolute terms there are considerably more appeals in Dublin than in Edinburgh. The Dublin distribution is similar to that for planning applications, but with slightly more appeals made in respect of NEWO schemes (55.5 per cent) and less in respect of CUTOO schemes (38.5 per cent). The differences between planning applications and appeals are more marked in Edinburgh, with 81.4 per cent of appeals being for CUTOO schemes, 10.2 per cent for NEWO schemes and only 6.8 per cent for CUTON schemes. The distribution of appeals might be expected to mirror that for refusals, but this and other possibilities will be explored in subsequent sections.

FIGURE 5.2

Planning Appeal Scheme Types in Edinburgh and Dublin

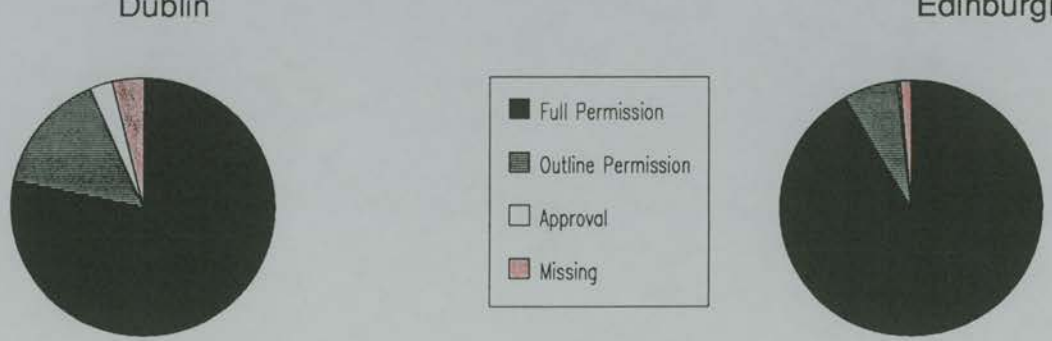


2 APPLICATIONS CLASSIFIED ACCORDING TO TYPE

Figure 5.3 shows planning applications classified according to whether they were for

FIGURE 5.3

Planning Applications Classified by Type of Permission Sought



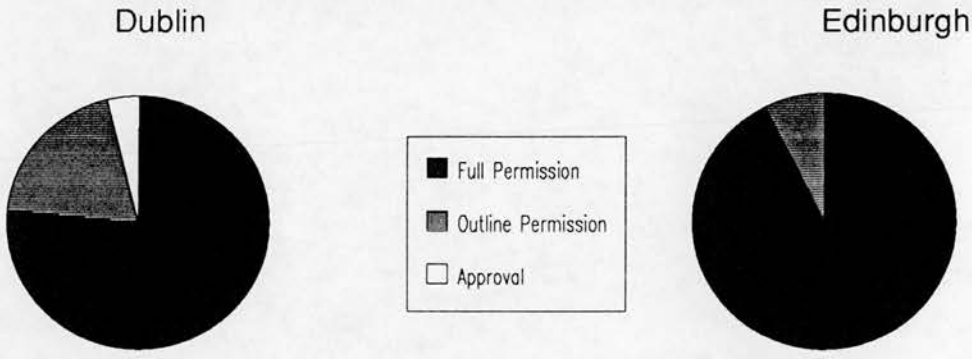
Note: Excludes CUTON Planning Applications

outline planning permission, full planning permission or an approval of details arising out of a previous grant of outline planning permission (hereafter referred to as outline, full and approval applications respectively). The figure excludes the CUTON applications, but almost all of these were applications for full permission. Edinburgh has a much lower incidence of outline applications than Dublin (6.7 per cent as opposed to 15 per cent) and a correspondingly higher proportion of full permission applications. There was an insignificant proportion of approval applications made in Edinburgh.

It must be noted, though, that the situation in relation to planning approvals is complicated by an institutional difference. This is because such applications are rarely identified as such in the Edinburgh Planning Register. They are classified as either a full planning application, or as a submission of details not constituting a separate planning application at all. Even in Dublin less than a fifth of the applications for

FIGURE 5.4

Planning Appeals Classified by Type of Permission Sought



Note: Excludes CUTON Planning Applications

outline planning permission were followed by an approval application. This does not imply that the other four fifths were abandoned. Many grants of an outline planning permission were followed by the submission of an application for full planning permission. Reasons for this might range from the expiry of the validity of the outline planning permission, to a substantial change in the development plans. It would have been complicated to identify such applications and the attempt was not made. The implications for the analysis are hard to quantify, but it is probable that Edinburgh approvals are under-recorded in the data. At the same time some applications that were effectively approvals may have been treated as new proposals.

Figure 5.4 shows a similar classification of planning appeals[1]. The distribution reflects that for planning applications, but with a slightly higher proportion of appeals relating to outline applications in both cities. The finding will be discussed further in a later section.

An additional characteristic requires to be examined in relation to appeals. As was noted in Chapter 3, third parties in Ireland have a right of appeal that does not exist in Scotland. Thus some 67 Dublin appeals (12.5 per cent) were lodged by third parties, with a further three made against decisions on CUTON applications. It is surprising that there was not a higher number of such appeals given the large number of contentious office schemes proposed during the period (see McDonald, 1985), since an appeal had the potential to be a powerful weapon in the hands of preservationists. At the least it would have cost a developer several months delay and some considerable uncertainty. There were, though, some relatively small financial costs involved in making an appeal and these could have been a significant deterrent. Alternatively, preservation groups may simply have been insufficiently organised or motivated. With the data available, however, it is not possible to do more than speculate.

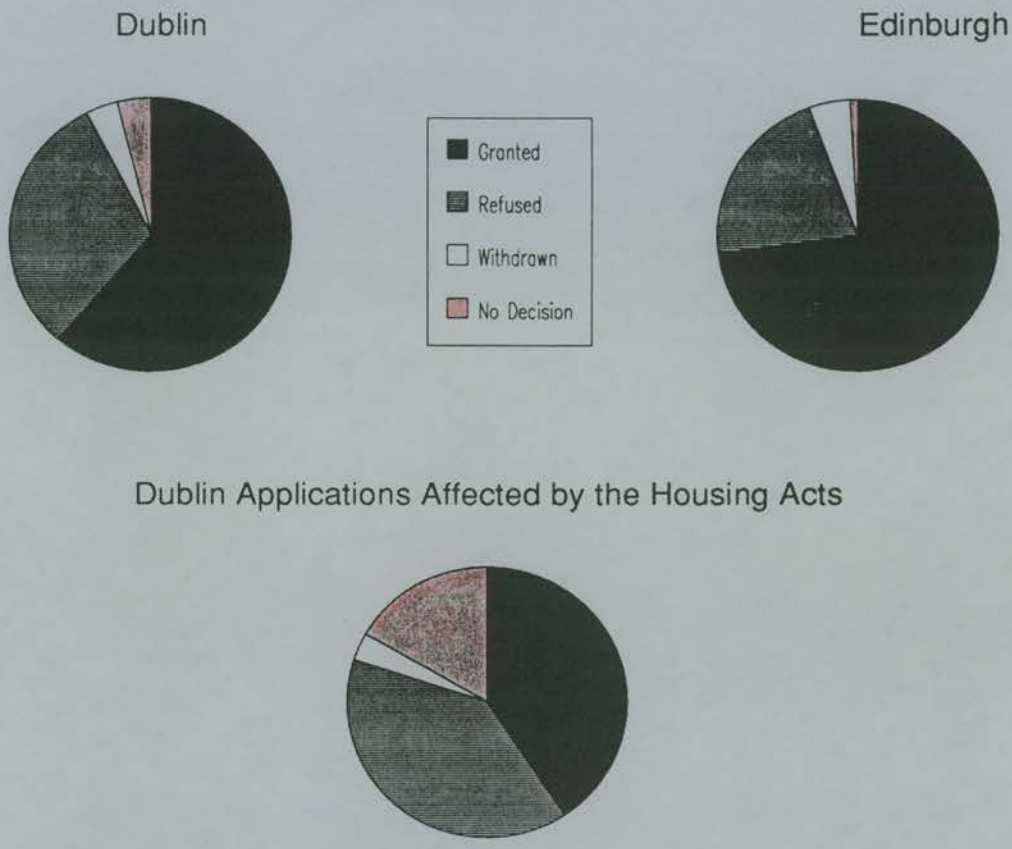
3 DECISIONS ON DEVELOPMENT PROPOSALS

Figure 5.5 shows the outcomes of the planning applications for all non-CUTON applications. These could be a grant of permission, a refusal, no decision (for certain technical reasons), a withdrawal of the application by the applicant before a decision had been made or a determination that the application was invalid (e.g. if it had been incorrectly advertised). Some differences are again evident. Contrary to Hypothesis A[2], Edinburgh has almost two thirds the refusal rate of Dublin at 21.4 per cent as compared to 31.2 per cent. This was rather surprising given the anecdotal evidence (see Chapter 2) of the difficulty of obtaining planning permission in Edinburgh. The proportion of withdrawn applications in Edinburgh is slightly higher at 4.7 per cent rather than the 3.7 per cent recorded in Dublin. Reasons for a withdrawal were not available but it can be suggested that in many cases this may have been because it appeared that the application would be refused, thereby setting a precedent. Sometimes in Dublin multiple applications for one site were submitted and then all but that preferred by the planners subsequently withdrawn. Developers might also

[1]CUTON appeals are excluded, but in both cities they all related to full permission applications.
[2]That Edinburgh had a lower proportion of planning applications granted permission than Dublin.

FIGURE 5.5

Decisions Made on Office Planning Applications



Note: CUTON applications are excluded.

submit a new scheme superseding an as yet undecided application. The position in respect of CUTON applications was somewhat different with rather lower refusal rates. These were again contrary to the hypothesis. Some 5.7 per cent were refused in Edinburgh and 16.7 per cent refused in Dublin. About 6 per cent were withdrawn in Edinburgh and 3 per cent in Dublin.

The second component of Figure 5.5 shows the position in Dublin for those applications subject to the provisions of the housing acts[3]. The breakdown of decisions for applications so affected is very different to that for those unaffected by the Act. The rate of refusals was much higher at 39.3 per cent, but the most notable point is the large number in respect of which no decision was made. Altogether 16.6 per cent did not result in a Planning Authority decision, almost always directly due to the Act. In fact the majority of no decision cases in Dublin were also Housing Act cases. The refusal rate for applications not affected by the Act was lower at 29.8 per

[3]There were 290 such applications.

cent, but still higher than in Edinburgh. The Housing Act provisions thus do not explain more than a small part of the difference. As might be expected, the Act had little impact on CUTON applications with only one being affected.

Shown in Figure 5.6 is a breakdown of decisions in respect of planning appeals. The differences between these results and those in respect of the planning applications are quite marked. For both cities a higher proportion of appeals resulted in a refusal of planning permission (Dublin 41.2 per cent of appeals refused compared to 31.2 per cent for planning applications and Edinburgh 49.1 per cent compared to 21.4 per cent). The figures suggest that the Edinburgh appeals system is much more restrictive relative to the DPA than is An Bord Pleanála relative to the PA in Dublin. Also the relative positions of the two cities are reversed since Dublin appeals are more likely to result in a grant of permission than those in Edinburgh. Of the seventeen CUTON appeals in Dublin six (35 per cent) were granted, nine (53 per cent) refused and two (12 per cent) withdrawn. Of the four in Edinburgh one was granted, one withdrawn and two refused.

FIGURE 5.6
Decisions Made on Office Planning Appeals

Note: CUTON applications are excluded.

The findings are, however, complicated by the presence of third party appeals in Dublin. As was explained in Chapter 3, these are appeals against the granting of planning permission. They are thus completely different in character to the normal appeals. Of the sixty-seven such appeals only six (9 per cent) resulted in a refusal of permission. If only normal appeals (by the developers) are considered then 40.7 per cent were granted, 45.8 per cent refused and 13.3 per cent withdrawn. These proportions are close to those for Edinburgh, except that for withdrawals which is

somewhat higher. Also to be taken into account is the nature of the appeals. In Edinburgh three appeals (5.5 per cent) were against the conditions attached to a grant of planning permission and the rest against refusals. In Dublin 85 appeals were against conditions (15.9 per cent of all appeals, 18.2 per cent of those made by developers), 382 appeals against refusals (71.5 per cent of all appeals, 81.8 per cent of developers' appeals) and the rest third party appeals against conditional or unconditional grants of permission. Considering only the appeals against refusals of permission, 20 in Edinburgh (35.7 per cent of such appeals) ended in the DPA decision being overturned. The corresponding figures for Dublin are 143 PA refusals overturned or 37.4 per cent. Interestingly, there were four instances in Dublin where a developer's appeal against a conditional grant ended with An Bord Pleanála refusing permission for the entire scheme (there were no such cases in Edinburgh). Including the 6 successful third party appeals means that a total of 153 Dublin DPA decisions was overturned on appeal. The position in respect of appeals is thus broadly in line with the prediction of Hypothesis B.

There were three Dublin third party appeals in respect of CUTON schemes, of which one was granted permission, one refused and one withdrawn. Of the normal CUTON appeals three were against conditions, 11 against refusals and the rest third party appeals. In Edinburgh all four CUTON appeals were against a refusal of planning permission. The outcome was that one Edinburgh DPA refusal and three Dublin PA refusals were reversed, plus one successful third party appeal in the latter.

The eventual post-appeal result for the study period was as is given in Table 5.1. It is evident that the effect of appeals was to narrow the difference between the two cities, but it remains the case that the refusal rate in Edinburgh is lower than that in Dublin. If Dublin applications affected by the Housing Act are disregarded the gap is further narrowed to Dublin granting 72.2 per cent compared to Edinburgh at 74.9 per cent, refusing 22.6 per cent compared to 19.7 per cent, and 3.7 per cent withdrawn compared to 4.7 per cent.

To emphasise the difference between appeals in the two cities, it should be noted that in Dublin 602 office planning applications were refused planning permission. There were 382 appeals against these decisions representing 63.5 per cent of the refusals. Of these 143 or 23.8 per cent resulted in a grant of permission. There were 1,184 grants of planning permission by the PA and 152 appeals by developers against conditions (12.8 per cent). In Edinburgh there were 241 refusals of planning permission and 52 appeals against these decisions, this being 21.6 per cent. There were 19 grants of permission on appeal so that 7.9 per cent of DPA refusals failed to withstand an

TABLE 5.1

Decisions on Office Planning Applications - Including Appeals

DUBLIN			EDINBURGH		
Decision	Number	Per Cent	Decision	Number	Per Cent
Granted	1317	68.3%	Granted	843	74.9%
Refused	469	24.3%	Refused	222	19.7%
Withdrawn	71	3.7%	Withdrawn	53	4.7%
No Decision	71	3.7%	No Decision	7	0.6%
Invalid	1	0.1%	Invalid	-	-

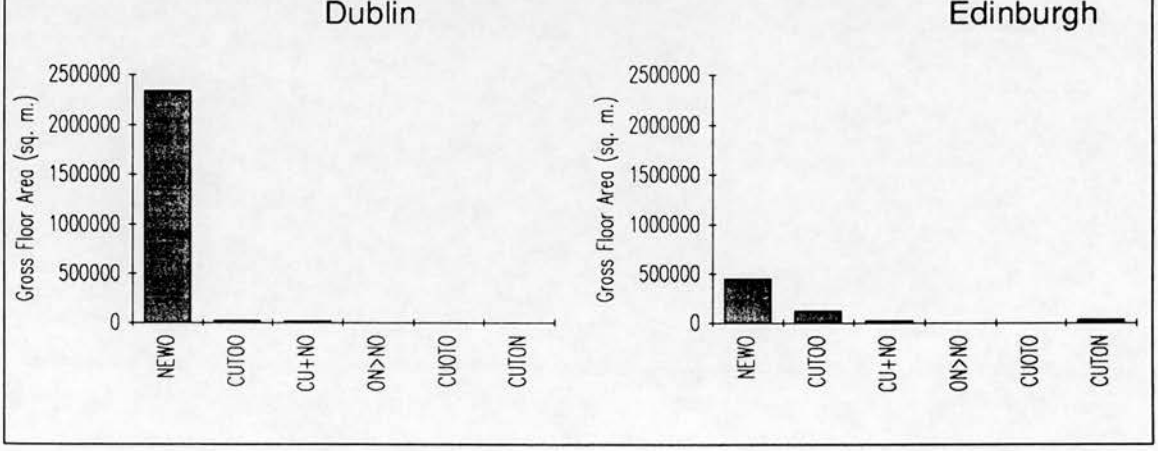
Note: CUTON Applications Excluded.

appeal. There were only three appeals against conditions for the 824 DPA grants of permission.

To conclude the section, it would appear that Edinburgh refused a lower proportion of office planning applications whether it was the decisions of the Planning Authority alone that were considered or the final position after appeals. The appeals, though, were significantly different from the original applications. Three times the proportion of refused applications were appealed in Dublin as compared to Edinburgh and these appeals were more likely to result in a grant of permission. Finally, it should be borne

FIGURE 5.7

Total Gross Floor Area by Type of Scheme



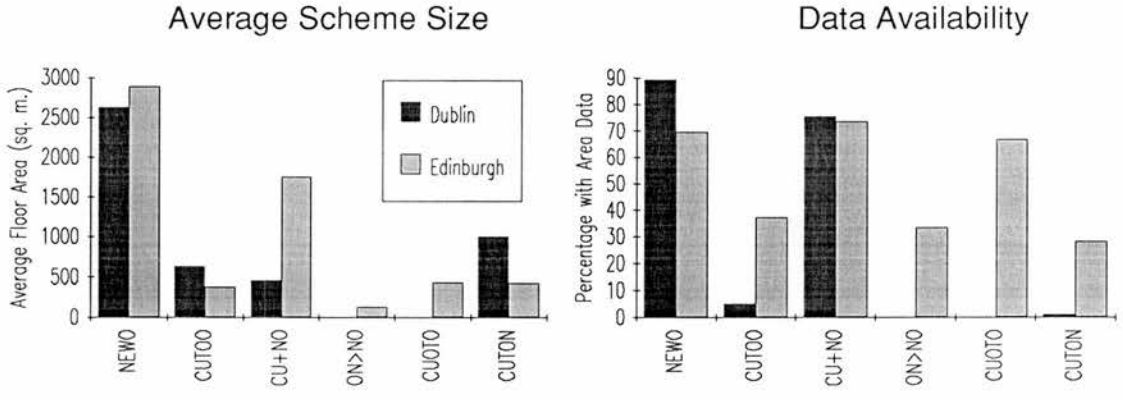
in mind that in absolute terms there were almost ten times as many appeals in Dublin as in Edinburgh, and Dublin appeals resulted in 157 decisions of the PA being reversed compared to only 20 reversals of DPA decisions in Edinburgh (including CUTON schemes).

4 ANALYSIS OF GROSS OFFICE FLOOR AREAS

Figure 5.7 depicts the gross floor area represented by the planning applications, in so far as the data was available,[4] classified according to the type of scheme. The first point to note is that the difference between Dublin and Edinburgh is much greater when measured in terms of proposed gross floor area than in the number of applications. In other words Dublin schemes were generally larger than those in Edinburgh. The 970 cases with data in Dublin involved 2,383,463 square metres of office space[5] and averaged 2,457 square metres. This is in contrast to the 599,121 square metres in the 501 Edinburgh schemes which averaged 1,196 square metres. For CUTON applications, data was only available for one application in Dublin that had an area of 1,000 square metres. Data was available for 89 (28 per cent) CUTON schemes in Edinburgh with a total area of 37,954 square metres and an average area of 426 square metres.

FIGURE 5.8

Average Gross Floor Area by Type of Scheme and Data Availability



Owing to the nature of the data the gross floor area breakdown shown in Figure 5.8 should be interpreted with great caution. The initial impression from the graphs does not accord with the previous finding that Dublin applications averaged over twice the size of those in Edinburgh. The reason, though, is that Dublin data was available for most NEWO plus CU+NO applications, but a lesser proportion of a smaller number

[4]Gross floor area data were available for 50.3 per cent of Dublin applications and 44.6 per cent of Edinburgh applications, both excluding CUTON schemes.

[5]One square metre is approximately 10.764 square feet. Thus Dublin had a total of 25.655 million square feet of office planning applications and Edinburgh had 6.456 million square feet. Imperial equivalents will not be provided (although they are commonly in use in the property industry) to simplify the presentation and economise on space.

of such schemes in Edinburgh. NEWO and CU+NO applications were typically the largest. Very little data was available for the normally small other scheme types in Dublin, bur for a considerable number in Edinburgh (see chapter 4). The Figure does indicate that new office construction schemes are on average much larger than other types of proposal in both cities. Surprisingly, the average for NEWO schemes in Edinburgh at 2,890 square metres is slightly greater than the corresponding figure for Dublin of 2,631 square metres. The averages for CUTOO schemes are 373 square metres and 633 square metres respectively, but the dataset is especially small and restricted in coverage in Dublin.

The overall averages, though, are derived from data with rather different distributions. Figure 5.9 shows frequency distributions of the data divided into interval classes of 500 square metres. The distributions for NEWO schemes are separately identified to those for all cases with area data. All the distributions are highly skewed with a modal class of less than 500 square metres. In both cities over 70 per cent of CUTOO schemes with data had areas of less than 500 square metres. As might be expected NEWO schemes showed much greater variation. Dublin has both a higher proportion of NEWO schemes in the modal class and a larger and longer positive tail. The largest Dublin scheme was for 80,000 square metres of office space and that in Edinburgh for 29,828. Edinburgh appears to have more of a concentration in the classes between 1,500 and 3,500 square metres. It was previously suggested that the Edinburgh data was thought to be biased towards coverage of medium to large schemes, so the apparent deficiency in the smallest size schemes in Edinburgh relative to Dublin provides some supporting evidence.[6]

Turning to the appeals, floor area data was available for 298 of the 534 Dublin appeals (55.8 per cent) and 23 of the 55 Edinburgh appeals (41.8 per cent). The actual areas involved in appeals (for the cases with such data) were 941,761 square metres in Dublin and 64,237 square metres in Edinburgh[7]. The area subjected to appeals in Dublin was thus over fourteen times that in Edinburgh. Some 314,503 square metres, or one third of the total, however, related to 60 third party appeals, thus reducing the difference to around nine and a half times on a like for like basis.

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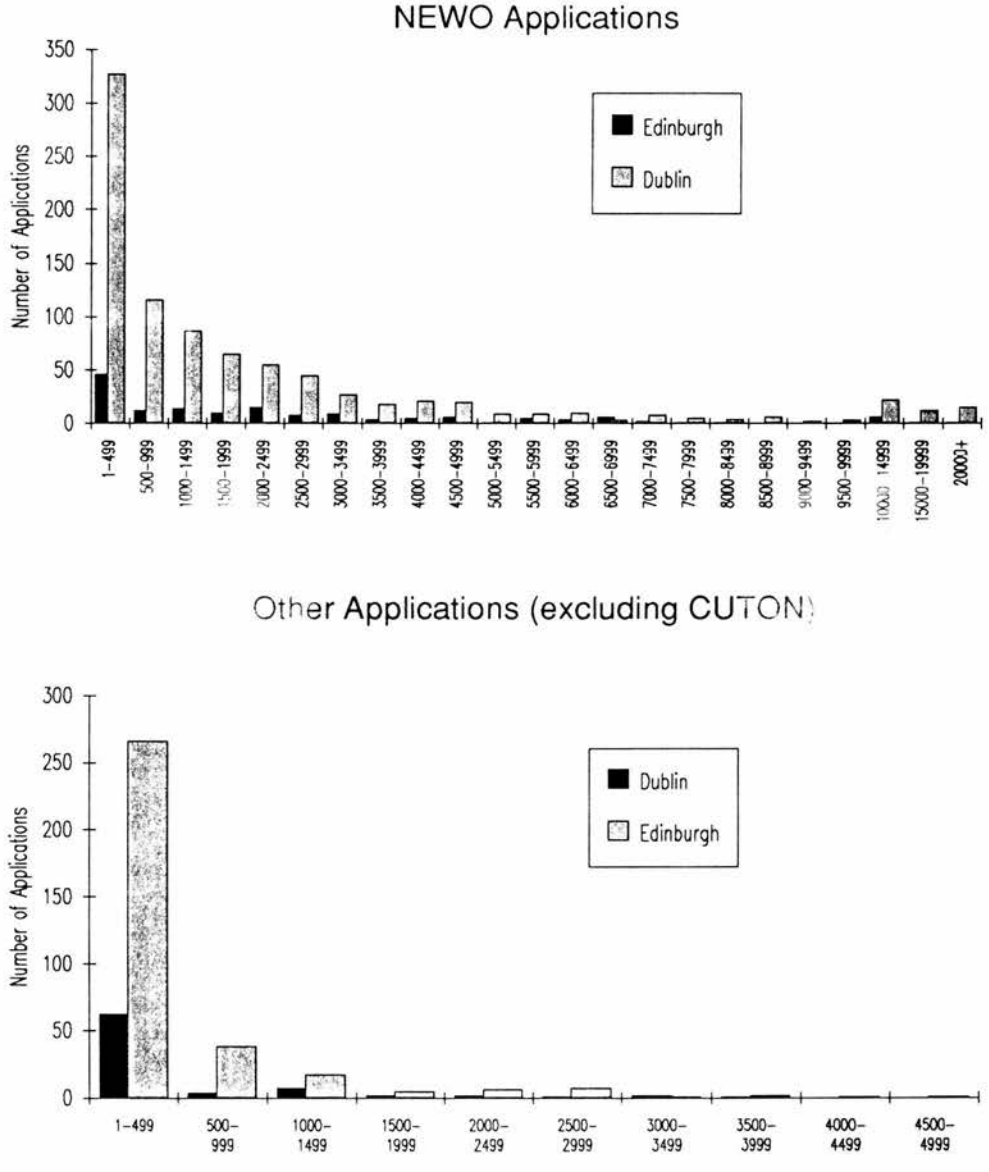
[6]It should be noted that as the cases for which floor area data were available do not constitute a statistically representative sample, it can not be assumed that the results are also typical of those applications without such data.

[7]In addition there was one CUTON Dublin appeal of 1,000 square metres and one Edinburgh appeal of 800 square metres.

As a further complication data was available for different proportions of appeals in each city. Thus would somewhat further reduce the disparity, but it is not possible to reliably estimate by how much. Since it is considered, though, that the area data was mostly available for the larger schemes, the real difference is almost certainly at least eight fold. This remains very substantial. Measured in number terms, and excluding third party appeals, Dublin had just over eight times as many appeals as Edinburgh.

FIGURE 5.9
Frequency Distributions of Scheme Gross Area



Thus appeals are much more important in Dublin than in Edinburgh in terms of areas as well as numerically. It is also worth noting that as might be anticipated, Dublin schemes subjected to third party appeals were on average substantially larger at 5,242 square metres than those subject to developers' appeals which averaged 1,323 square

metres. The latter category of appeals in Edinburgh had a mean area of 2,793 square metres.

Figure 5.10 shows a more detailed breakdown of the gross floor area data expressed in both absolute and percentage forms, and classified according to the type of scheme and planning decision.[8] Unexpectedly, the results reinforce the impression from the analysis of decisions that Edinburgh grants permission for a higher proportion of proposed office development than Dublin. Some 66.2 per cent or 1,577,443 square metres of known proposed gross office space was approved in Dublin compared to 71.5 per cent or 429,004 square metres in Edinburgh. Some allowance, though, should be made for the differences in the coverage of the data. More CUTOO data was available in Edinburgh, which the graph shows recorded the highest success rate. Additionally there was probably under-representation of Edinburgh withdrawn floor area, and also refused CUTOO area. The individual classes will be considered in more detail later.

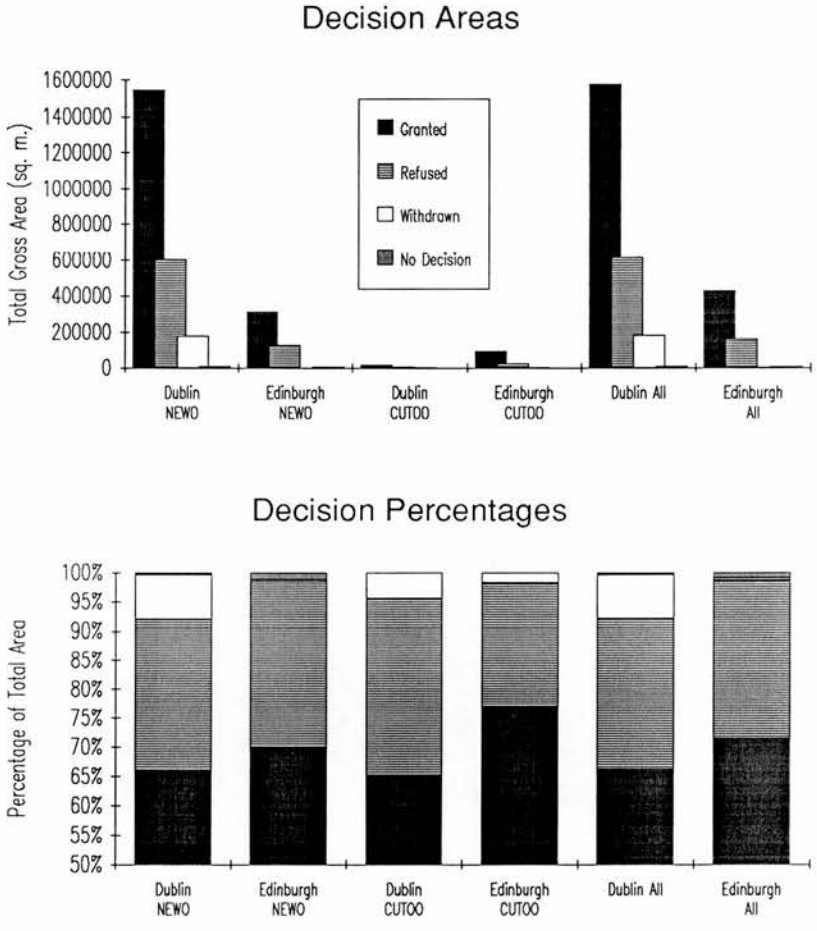
Turning to CUTON schemes the only one for which data was available in Dublin was refused planning permission. In Edinburgh 35,527 square metres of CUTON area (93.6 per cent) was granted permission. Overall, though, it remains very notable that Dublin granted permission for an addition to its office stock of over three and a half times that of Edinburgh, and with a significantly lower rate of conversion of office premises to other uses.

Pearson Product Moment Correlation Coefficients were calculated to test the hypothesis that there would be a relationship between the floor area of the office schemes and the proportion of such schemes granted planning permission. The data used was the class interval data illustrated in Figure 5.9, but altered slightly by the amalgamation of several of the smaller classes representing areas in excess of 3,000 square metres. In Dublin there was found to be a weak inverse correlation with $r = -0.34$, but it was not statistically significant at the 5 per cent level. In Edinburgh, on the other hand, there was a relatively strong negative correlation with $r = -0.867$, it being significant at the 1 per cent level. It may be concluded that in Edinburgh, but

[8]The availability of floor area data is quite evenly distributed across the four decision classes in Dublin (for example covering 90 per cent of granted, 88.6 per cent of refused and 86 per cent of withdrawn NEWO applications), but slightly less so in Edinburgh. Edinburgh withdrawn applications of all types are very poorly represented (e.g. only a 9 per cent coverage for the NEWO class), while refused CUTOO applications are also somewhat underrepresented (28 per cent availability compared to 42.5 per cent for granted CUTOO applications).

not Dublin, the proportion of NEWO planning applications granted permission declines as the size of floor area increases.

FIGURE 5.10
Planning Decisions in Respect of Gross Area



If the appeals are taken into account, the actual effect in Dublin was that 33,744 square metres of gross floor area that had been approved by the PA was refused permission on appeal, and 105,575 square metres refused by the PA was granted permission on appeal. The net effect was an overall increase of 71,831 square metres in the gross area granted planning permission taking the total to 1,649,274 square metres or 69.2 per cent. In Edinburgh no DPA grant of permission was overturned on appeal, but 3,904 square metres of gross area originally refused permission was approved. Overall, therefore, 432,908 square metres of gross area or 72.2 per cent was ultimately granted permission. There was only one appeal in respect of a CUTON application with area data in Dublin, and this resulted in 1,000 square metres

being granted planning permission after being refused permission by the PA. The only data in Edinburgh related to an appeal that was withdrawn, thus leaving the areas granted and refused unchanged.

As a consequence of appeals, therefore, the difference in the proportions of office area approved narrowed from 66.2 - 71.5 per cent to 69.2 - 72.3 per cent. The finding does not support Hypothesis C, namely that Edinburgh granted permission for a lower proportion of planning applications than Dublin. The disproportionate differences in the actual areas applied for and approved in the two cities require to be considered though.

If new office and change of use to office schemes are considered separately, it is apparent that 76.9 per cent of CUTOO area and 69.8 per cent of NEWO area was granted permission in Edinburgh (21.4 per cent and 28.9 per cent refused respectively). In Dublin some 65 per cent of CUTOO area and 66.1 per cent of NEWO area was granted permission (30.5 per cent and 25.9 per cent refused respectively). The withdrawn proposals are a potentially confusing element as little data was available for those in Edinburgh. The effect of appeals was marginal in Edinburgh with an increase in the approved area of CUTOO to 80.1 per cent of that applied for (18.2 per cent refused), and no change for NEWO applications. Dublin appeals boosted the proportion of area granted permission to 69.1 per cent for NEWO schemes and 66.9 per cent for CUTOO schemes (22.9 and 28.6 per cent refused respectively). The two cities thus have almost identical proportions of NEWO area that was granted permission, but Edinburgh has a higher proportion of refused area (and a correspondingly lower proportion that was withdrawn). For CUTOO area, though, the two are markedly different since Edinburgh has a much higher success rate. In Dublin, a slightly higher proportion of NEWO area was granted than CUTOO area. In Edinburgh, the difference is the other way round and much larger. To a large extent the results reflect what might be expected given the planning policies and allowing for anticipated bias in the data. Edinburgh conservation appears to have favoured CUTOO schemes over new build, while in Dublin worries over loss of housing seems to have led to relatively lower success for CUTOO schemes.[9] The virtually identical proportions of areas approved in each city for NEWO schemes again fails to support hypotheses A to C, namely that Edinburgh should have the higher refusal rate. Indeed, for CUTOO schemes it appears to have been relatively

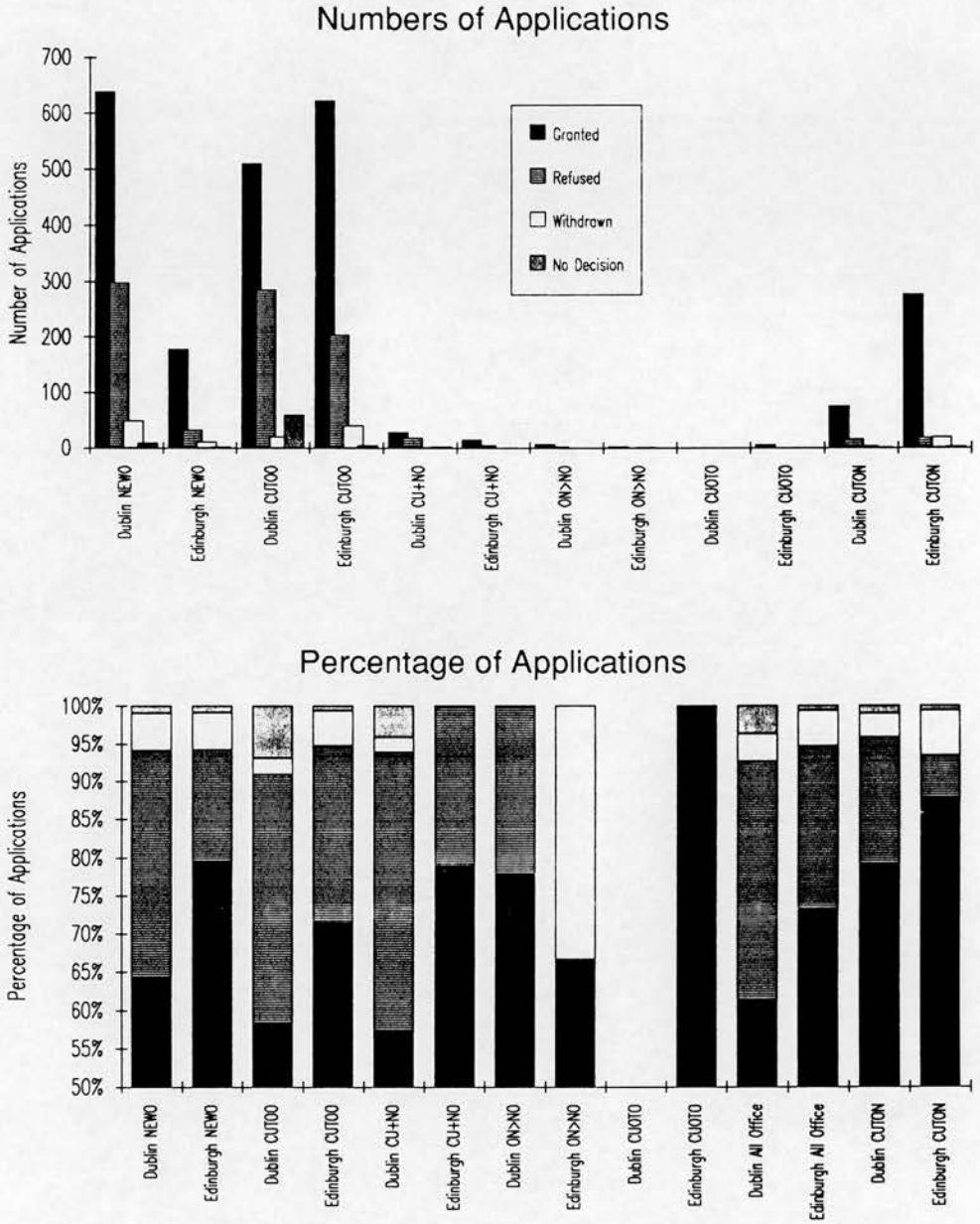
[9]The Housing Acts were very significant, for example. As explained in Chapter 3, though, the PA could refuse permission for a change of use, but could not ultimately prevent demolition. This probably favoured new construction.

more permissive. As has been noted, though, area data on Dublin CUTOO applications is very limited so this aspect should be treated with caution.

If just the numbers of applications are considered it will be seen by reference to Figure 5.11, which shows both absolute numbers and proportions of decisions, that the pattern is rather different. For Edinburgh 71.4 per cent of CUTOO and 79.5 per cent of NEWO applications were granted (23.4 and 14.7 per cent refused respectively) while in Dublin 58.2 per cent of CUTOO and 64.2 per cent of NEWO applications were granted (32.5 and 29.8 per cent refused respectively). Of the appeals against refusals of permission, some 34 per cent of Dublin NEWO appeals were granted, compared to none in Edinburgh, but only 41.9 per cent of CUTOO appeals compared to 47.6 per cent in Edinburgh. For CUTON appeals Dublin granted 27.3 per cent compared to none in Edinburgh. Thus taking appeals into account gives 73.7 per cent of Edinburgh CUTOO applications granted (21.1 per cent refused) and the NEWO rate unchanged. For Dublin the figures are 67 per cent of CUTOO applications granted (23.7 per cent refused), and 69.6 per cent of NEWO applications granted (24.4 per cent refused). Note that there was a high incidence of no decision cases amongst Dublin change of use schemes with 47 of these being due to the Housing Act. Bearing that in mind, and after appeals, there is only a small difference in success rates in Dublin between NEWO and CUTOO schemes, compared to the significantly lower rate for CUTOO schemes in Edinburgh. For both cities CUTON schemes are much more likely to be approved than are the other types.

It is suggested that the differences between success rates in Edinburgh when measured in terms of area and number of applications partly reflect the bias thought to be present in the sample of applications for which area data was obtained. As shown in Figure 5.10 there is some evidence to support the hypothesis that the availability of Edinburgh area data in particular was biased towards the larger schemes. This is thought to have been especially so for CUTOO schemes where data was only available for 37 per cent of the 873 applications. Many refused CUTOO applications were for conversion of small shops to offices contrary to policies protecting main retail streets. Floor areas were not generally available for these. Had they been the success rates measured by area might have been slightly lower, especially for CUTOO applications. Similar bias is not thought to have been such a problem in Dublin due to the method of data collection, and it is considered significant that proportions there are similar whether expressed in number or area terms.

FIGURE 5.11
Planning Decisions in Respect of Applications



The conclusion, therefore, is that irrespective of whether decisions are measured in terms simply of application numbers or gross floor area, the findings do not support the first three hypotheses. Edinburgh generally had higher proportions of developments granted planning permission.

TABLE 5.2
Matrix of Average Gross Floor Areas by Decision and Type of Scheme

DUBLIN						
Decision	NEWO	CUTOO	CU+NO	ON>NO	CUOTO	ALL
Granted	2683 (2589)	647 (601)	558 (552)			2508 (2418)
Refused	2300 (2487)	607 (725)	236 (175)			2145 (2325)
Withdrawn	4166	620	400			3930
No Decision	1320		91			1167
All	2630	633	454			2457

EDINBURGH						
Decision	NEWO	CUTOO	CU+NO	ON>NO	CUOTO	ALL
Granted	2425	353 (357)	1661	130	431	1044 (1033)
Refused	5226	449 (443)	2098			1895 (2040)
Withdrawn	15	711				537
No Decision	5700					5700
All	2877	373	1755	130	431	1195

Note: All areas in square metres. Bracketed figures include appeals.

The data on gross floor areas was reclassified by type of decision to give the average scheme sizes shown in Table 5.2 (for those applications with area data). This was done to investigate Hypothesis D that Edinburgh had had smaller schemes. For Dublin it is most noticeable that withdrawn proposals were on average by far the largest at 3,930 square metres each. Granted and refused applications were relatively similar at 2,508 and 2,145 square metres respectively. For Edinburgh the situation was rather different, as withdrawn applications were quite small at 537 square metres on average (but the data was limited to only four cases). Applications granted permission averaged 1,044 square metres and those refused 1,895 square metres. The bracketed figures incorporate the effect of appeals where this changed the averages. The areas of successfully appealed applications overall were less than those directly granted permission so the effect is to slightly reduce the average size of schemes granted permission. The marked difference between the two cities is preserved. When disaggregated into scheme types, the effect of appeals on the averages varies as can be seen from the table.

The average areas for each scheme type in Table 5.2 reveal several features. As might be expected NEWO schemes are on average much larger than CUTOO schemes in both cities. In Dublin there is comparatively little difference between averages for each decision in each scheme type. The exception is that NEWO schemes that were withdrawn were almost twice the size of those granted or refused. Edinburgh is quite different as refused NEWO schemes were on average twice the size of those granted permission. Refused CUTOO schemes were also on average larger, but only by a third, than those granted. The appeals did not alter the pattern described.

The data suggests that Dublin withdrawn schemes are different to those in Edinburgh, although there is a relative lack of data for the latter. It has previously been noted that withdrawn applications comprised a significant proportion of the total in Dublin (5.9 per cent of NEWO applications). A number of explanatory factors are suggested. Planning fees were introduced later in Dublin so it was only after March 1983 that a withdrawal implied wasting the fee. Dublin withdrawn applications were much larger than for other decisions on average, so were probably the more speculative developments and more sensitive to changes in economic conditions than smaller proposals intended for occupation by the applicant. It is well known that a grant of permission for an office development tends to increase the land value, but it is not clear what happens in the event of a refusal of permission. There is no data available from the present study, but it is argued that the effect might be to decrease the value by removing part of such 'hope' value as might exist. By this is meant a premium existing because of an anticipation that permission might be granted. If that were the case then if it appeared likely that permission would be refused it would be sensible to withdraw the application before it could be confirmed. This would also prevent the establishment of precedents that the PA could use to support future refusals in respect of the site or surrounding area. It is relevant to point out that McDonald (1985) noted that many Dublin applications were made by persons who had no intention of actually executing the development, but simply sought to capture increases in the land value. It appears that for at least some of the withdrawn applications the PA would have refused permission.

There was less speculative office development in Edinburgh over the period and probably more willingness on the part of the DPA to negotiate with developers during the course of an application. It is proposed that this has tended to reduce the refusal rate in Edinburgh since initially unacceptable schemes could be changed without requiring a fresh application. Negotiation is made possible by the absence of a rigid time limit on decisions and a difference in the style of planning between the two cities. It is also argued that Edinburgh developers tended to take more account of

planning policies in the first place. These arguments go some way to providing an explanation for the majority of the results so far failing to support the hypotheses of the study. The arguments will be returned to in Chapter 7.

The average areas for refused and granted applications in Edinburgh reflect the earlier finding that the refusal rate is correlated to the scheme size. Given the policy of the Edinburgh DPA to restrict central area office development and to preserve the character and scale of the city, it is not surprising that the largest difference between averages is for the NEWO schemes. In Dublin, on the other hand, the averages are little different, especially after allowing for appeals. The fact that almost all the averages, excepting for the no decision category, refused NEWO and refused CU+NO, are larger in Dublin than in Edinburgh could be due to many factors, such as a greater demand for office space or availability of large sites, but it might also reflect a difference in developer's perceptions of the size of scheme likely to be approved.

TABLE 5.3
Average Areas by Type of Permission and Decision

DUBLIN

	GRANTED	REFUSED	WITHDRAWN	NO DECISION	ALL
Not Stated			3,161	780	2,753
Approval	3,245 (2,456)	1,086 (3,804)			2,759
Full Permission	2,324 (2,269)	1,957 (2,052)	5,484	2,326	2,301
Outline Permission	3,146 (3,102)	2,604 (2,605)	1,350		2,881
All	2,508 (2,418)	2,146 (2,325)	3,930	1,167	2,457

EDINBURGH

	GRANTED	REFUSED	WITHDRAWN	NO DECISION	ALL
Not Stated			15		15
Approval				5,700	5,700
Full Permission	757 (751)	961 (1,020)	711		790
Outline Permission	3,113	6,699			3,898
All	1,044 (1,033)	1,895 (2,040)	537	5700	1,195

Notes: All figures stated in square metres.
CUTON schemes excluded. Bracketed figures include appeals.

Overall the results reinforce the impression that the gross floor area of a proposed office development does not affect the planning decision in Dublin, but that in Edinburgh the larger the floor area the greater the chance that permission will be refused.

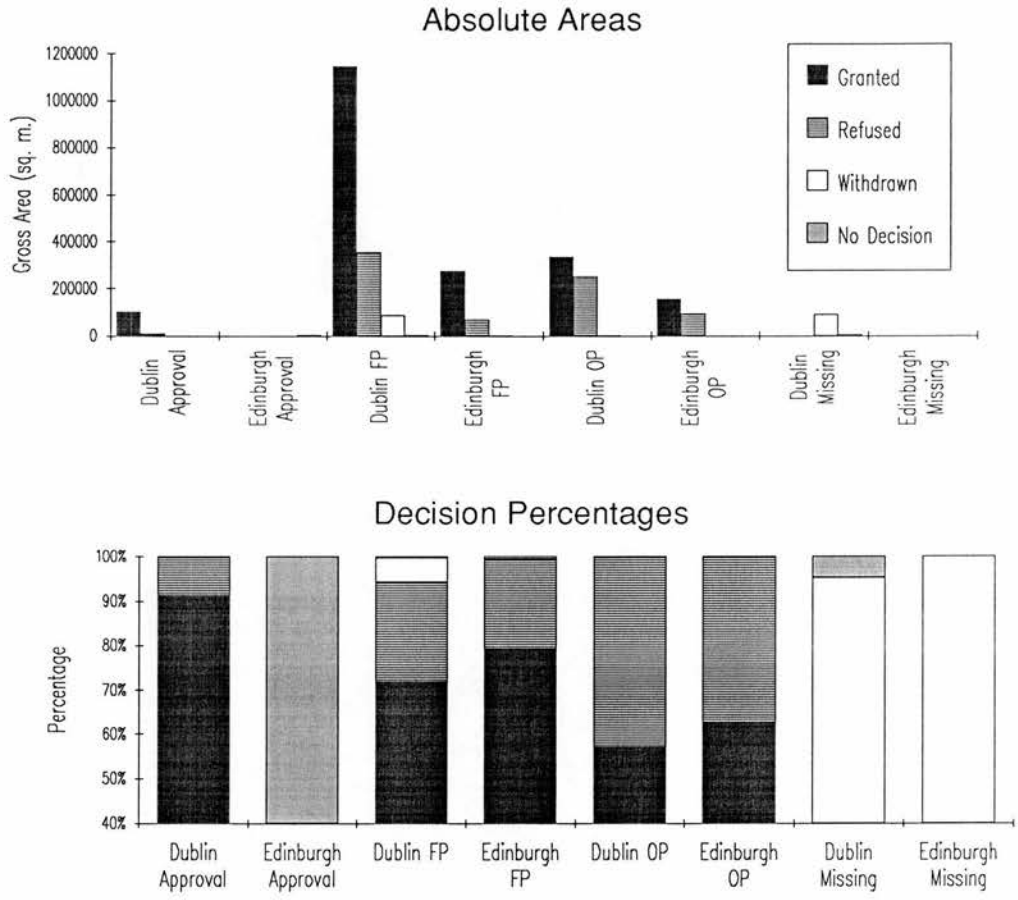
Table 5.3 presents a matrix of average gross floor areas classified by type of planning permission sought and the decision (excluding CUTON schemes). Overall, the average for outline planning applications is larger in both cities than that for full planning applications. Approval applications in Dublin have a similar average size to outline applications. In Edinburgh the stated average is large but there is only one case. The detailed figures confirm the finding derived from the correlation analysis and Table 5.2 that the average area of refused schemes in Edinburgh is larger than that for those granted. The difference is most pronounced for outline applications. In all cases in Dublin, except approval applications after allowing for appeals, the average for refused schemes is slightly smaller than for those granted. Outline planning applications tended also to be NEWO schemes, which accounts for the larger average areas. The much larger difference between outline and full applications in Edinburgh reflects the lesser overall significance of NEWO schemes and thus the greater proportion of the full application average attributable to typically small change of use developments.

Examining the absolute and relative proportions of gross floor area classified by the type of permission sought and the decision, as illustrated in Figure 5.12, a number of features are apparent. A high proportion (91.2 per cent) of space applied for in Dublin approval applications was granted permission, but only a considerably lower 57 per cent of outline applications' space. For full applications 71.8 per cent of space was granted permission and 5.5 per cent was withdrawn. Cases where the type of permission was not stated consisted entirely of either withdrawn or no decision applications. In Edinburgh a slightly higher proportion of full and outline applications' floor space was granted (79.3 and 62.4 per cent respectively), with the difference being greatest for outline applications. Within each city it is noteworthy that outline applications have by far the highest refusal rate. Finally, from the columns in the upper graph it is evident that in Dublin full applications account for almost three quarters of all space, but only just over half in Edinburgh.

There is insufficient data to comment meaningfully on the areas of Dublin CUTON schemes in terms of the categories in Figure 5.12. For Edinburgh 93.4 per cent of the area involved in the 87 full permission CUTON applications, and both of the outline CUTON applications with area data, were granted permission.

FIGURE 5.12

Gross Floor Areas Classified by the Decision and Permission Type Sought



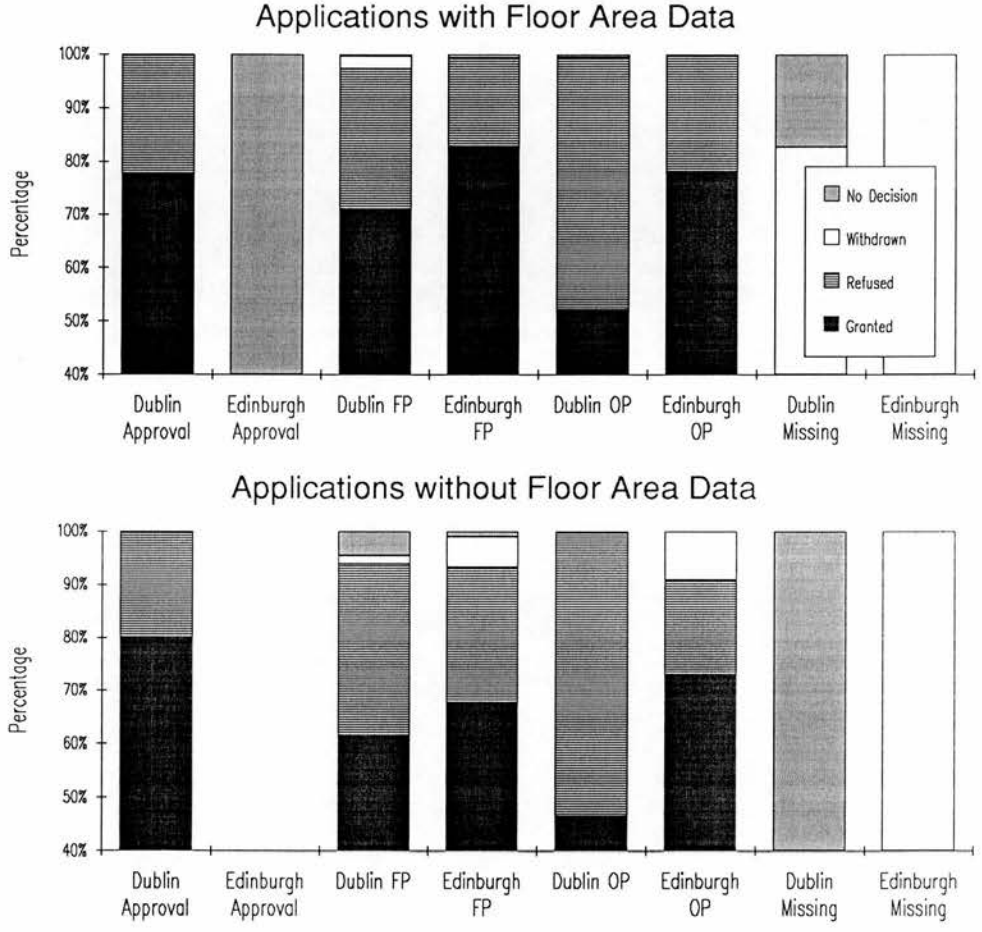
Note: The graphs exclude CUTON applications

The effects of appeals are not illustrated in the figure, but were as follows: the proportion of area in Dublin approval applications that was granted permission was reduced to 69 per cent. The proportion of full permission area that was granted increased to 76.4 per cent and that for outline permission to 61 per cent. In Edinburgh the only change was to increase the proportion of full permission area that was granted to 80.4 per cent.

The graphs in Figure 5.13 are similar to the percentage graph in Figure 5.12 but are based on numbers of applications rather than gross floor areas. A direct comparison between applications with area data and those without confirms that there are differences between the two groups, as is to be expected (since, for example, in Dublin area data was essentially only available for NEWO schemes). For Dublin full and outline applications in the group without area data were more likely to be refused, and the same situation applies in Edinburgh. Overall a higher proportion of the

FIGURE 5.13

Office Applications Classified by the Decision and Permission Type Sought



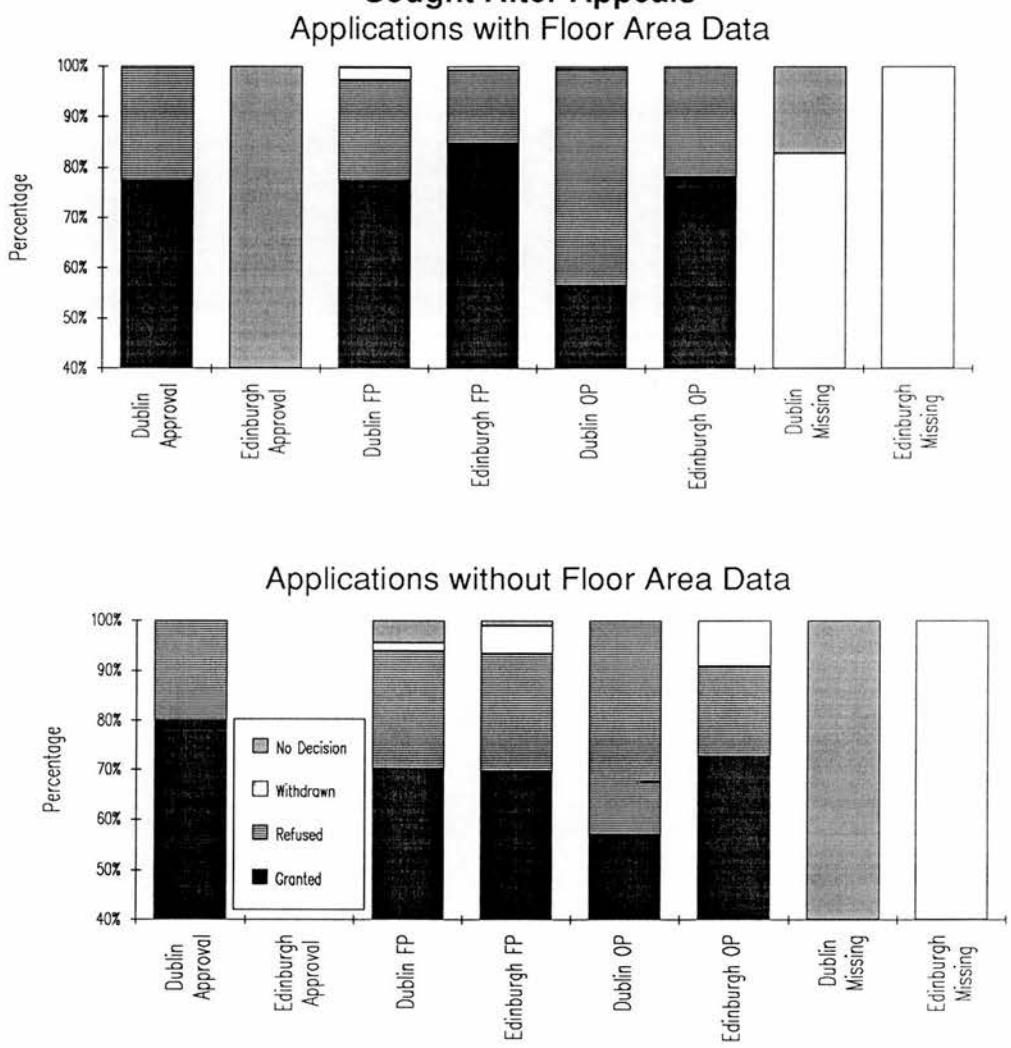
Note: The graphs exclude CUTON applications

number of applications in every category was granted permission in Edinburgh than in Dublin. Change of use to non-office schemes, although not shown in the figure, were almost all full applications and had low refusal rates in both cities.

Figure 5.14 has an identical structure to Figure 5.13. The proportional column graphs, though, incorporate the effects of planning appeals. The changes only affect the Granted and Refused categories for full and outline permission applications. Since outline planning applications were intended to facilitate developers discovering the attitude of a PA to large or controversial proposals without the delay and expense of submitting a full application, it is to be expected that the refusal rate for such applications would be relatively high. The situation in Dublin is in accordance with the expectation, but in Edinburgh it is only in terms of areas that outline applications have a markedly higher refusal rate. The difference might be explained if Edinburgh outline applications were typically less controversial than in Dublin but with a few very large schemes being refused.

FIGURE 5.14

Office Applications Classified by the Decision and Permission Type Sought After Appeals



Note: The graphs exclude CUTON applications

If the proportions of refusals measured by area in Figure 5.12 are contrasted with those measured by number of applications in Figure 5.13, it will be seen that a higher proportion of area is granted permission in Dublin than number of applications. In Edinburgh the proportions for full applications are similar but for outline applications a higher proportion of applications was granted than area. It was previously noted that there was a negative correlation between scheme area and the proportion of applications granted planning permission, and this is reflected here.

5 ANALYSIS OF DECISION PERIODS

As has been noted in Chapter 2, the length of time taken to determine planning applications has been the focus of considerable political attention in the U.K. in recent

times. Thus Hypothesis E is to the effect that decision periods have been longest in Edinburgh. Table 5.4 contains average decision periods in days for Edinburgh and Dublin classified according to the decision and type of scheme. It should be noted that Dublin Housing Act cases have been kept separate. The reason for this is obvious since the average decision period for these applications was almost two years or ten times the period for unaffected cases. Change of use to non-office schemes are also separately enumerated.

Taking the overall average, it took 9.9 days longer to determine an application in Edinburgh than in Dublin. The overall difference is thus smaller than was anticipated given the prominence that has been attached to delay (see, for example, Dobry, 1974; Dobry, 1975; House of Commons Expenditure Committee, 1977). It also suggests that proposals that Scottish planning law (and that of other U.K. countries) should copy that of the Irish Republic in having a fixed two month decision period would have only a marginal impact.

Within the overall average, though, there is variation according to the type of office development proposed. Average decision periods for each scheme type are longer in Edinburgh, but the differences are minor in the cases of CUTOO and CUTON applications. NEWO schemes, though, took 38 days longer to determine, CU+NO schemes 88 days longer, and ON>NO schemes 53 days longer. It is, however, of considerable interest that the overall averages when disaggregated into the different decision types, clearly show that it was refusals of planning permission and withdrawn schemes that took longer (almost 40 days and 69 days more respectively) in Edinburgh than in Dublin. Grants of permission were in fact made 2.3 days quicker in Edinburgh than in Dublin.

Turning to the individual entries in the matrix it should be noted that grants of permission were made in less time in Edinburgh than either refusals or withdrawals for all types of scheme. The difference between grants and refusals was about 40 days for NEWO and CUTOO schemes but over 230 days for CU+NO schemes. The differences in Dublin are very much smaller and in the case of CUTOO, ON>NO and CUTON schemes grants of permission took a few days longer than refusals. Withdrawals in Dublin were usually made within a shorter period than either grants or refusals, except in the case of NEWO schemes where the averages are all very close.

TABLE 5.4
Average Decision Periods by Decision and Scheme Type

DUBLIN				
	GRANTED	REFUSED	WITHDRAWN	AVERAGE
NEWO	70.3	73.0	71.4	71.2
CUTOO	67.8	64.6	53.8	66.5
CU+NO	60.5	64.7	48.0	61.8
ON>NO	56.6	54.5		56.0
AVERAGE	69.1	69.4	67.5	69.1
CUTON	70.8	64.1	46.7	68.9
Housing Act Cases	405.6	734.9	1963.7	625.1

EDINBURGH				
	GRANTED	REFUSED	WITHDRAWN	AVERAGE
NEWO	98.4	138.5	225.4	109.1
CUTOO	57.1	99.3	117.5	69.9
CU+NO	100.9	333.3		149.8
ON>NO	60.5	205.0		108.7
CUOTO	57.3			57.3
AVERAGE	66.8	108.6	136.5	79.0
CUTON	63.5	115.2	121.8	69.9

Note: For withdrawn applications the decision date was the date of withdrawal of the application.

Comparing the two cities it is evident that Edinburgh NEWO schemes were determined much more slowly than in Dublin. This was most pronounced for refusals and withdrawals. Somewhat surprisingly, grants in respect of CUTOO schemes were made more rapidly on average in Edinburgh, but refusals and withdrawals were again slower. Similarly, Edinburgh CUTON schemes were determined faster, but not refusals or withdrawals.

Table 5.5 shows average decision periods classified by decision and type of application. Full planning applications in Edinburgh were determined, on average, 6.5 days later than in Dublin and outline applications a more notable 49.3 days later. The individual entries in the matrix again show that grants of planning permission were made quicker than either refusals or withdrawals in Edinburgh. In Dublin the picture is more complex as approval grants took 22 days less than refusals, outline grants 9.1

TABLE 5.5

Average Decision Periods by Decision and Type of Application

DUBLIN				
	GRANTED	REFUSED	WITHDRAWN	AVERAGE
Approval	63.6	85.6		68.2
Full Permission	67.9	68.8	72.8	68.2
Outline Permission	78.9	69.8		74.6
Not Stated			64.5	64.5
AVERAGE	69.1	69.4	67.5	69.1
CUTON	70.8	64.1	46.7	68.9
Housing Act Cases	405.6	734.9	1963.7	625.1

EDINBURGH				
	GRANTED	REFUSED	WITHDRAWN	AVERAGE
Approval			152.9	152.9
Full Permission	62.9	106.0	130.2	74.7
Outline Permission	117.9	145.6		123.9
Not Stated			152.9	152.9
AVERAGE	66.8	108.6	136.5	79.0

Note: CUTON schemes and cases in Dublin affected by the Housing Acts are excluded.

days longer than refusals and full grants and refusals almost the same time. Comparing the cities it can be seen that full grants had a five day shorter average decision period but outline grants 39 days longer in Edinburgh. The differences for refused applications were much larger being 37.2 days longer for full applications and 75.8 days longer for outline applications in Edinburgh.

In the light of the above, a Pearson Product Moment Correlation Analysis was carried out on the full data set (excluding CUTON schemes) to test the hypothesis that there was a positive correlation between the floor area of office developments and the time taken to decide the applications. Schemes in Dublin which were affected by the Housing Act were excluded. The overall results showed that there were relatively weak positive correlations between the two variables in both cities. For Dublin $r = +0.213$, $n = 925$, mean = 71.4, Std. Dev. = 62, and for Edinburgh $r = +0.229$, $n = 499$, mean = 87.1, Std. Dev. = 77 (both are significant at the 99 per cent level). The

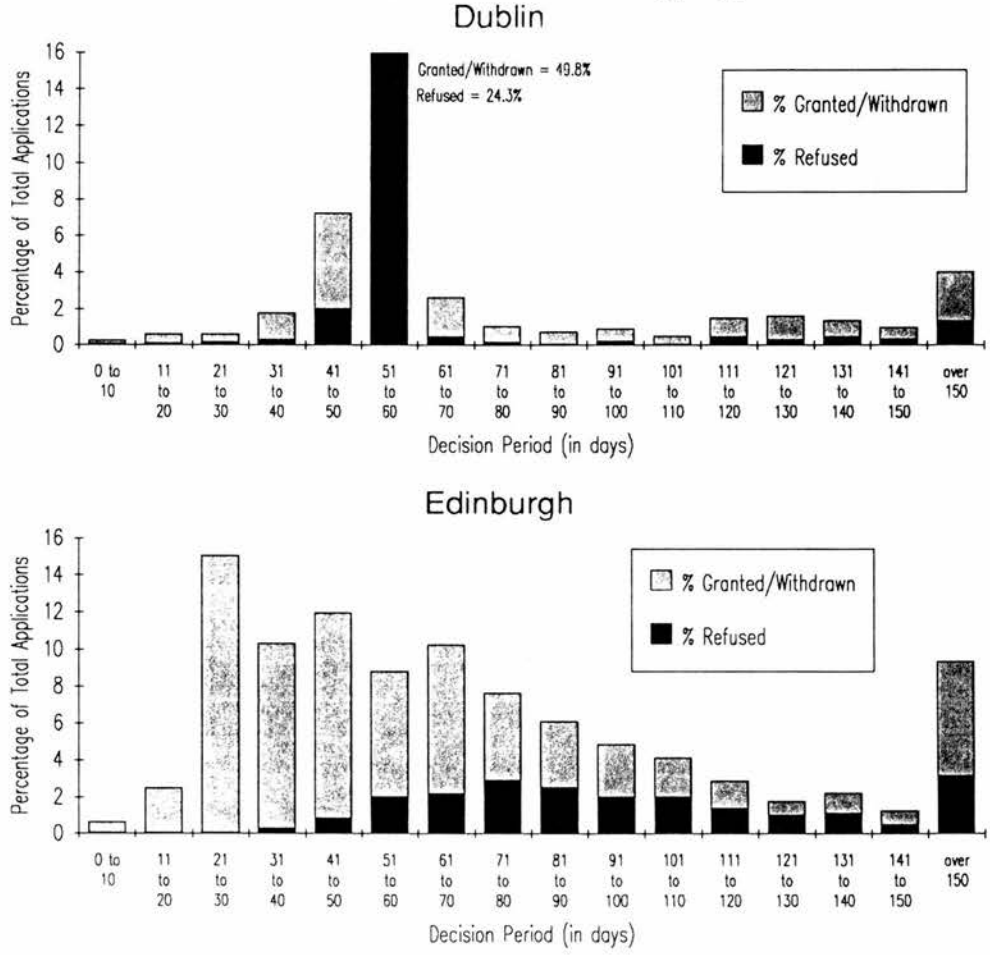
NEWO schemes were examined in more detail since these had the highest availability of floor area data, and tend to be of greatest significance in area terms. They are also of greatest concern to developers. The findings were:

DUBLIN:	GRANTED	r=+0.122	n=563	s=65	x=71.2	median = 58
	REFUSED	r=+0.514	n=252	s=61	x=74.1	median = 58
EDINBURGH:	GRANTED	r=+0.167	n=129	s=91	x=106.2	median = 71
	REFUSED	r=-0.109	n=25	s=58	x=142.8	median = 118

The Dublin results are surprising given the statutory upper limit on decision periods, but they reflect the fact that the PA does have some ability to delay a decision by requesting additional information. The correlation coefficient for Dublin refused NEWO schemes is relatively high because of the effect of a few very large schemes that had lengthy decision periods. The great majority of Dublin planning applications, however, were determined within the prescribed two month period. This can be

FIGURE 5.15

Decision Periods on Office Planning Applications



Notes: 241 Dublin Housing Act cases have been excluded, as have CUTON applications in both cities.

clearly seen from Figure 5.15, which shows the distribution of planning decisions according to the length of the decision period.[10] It was expected that a strong correlation would be found between scheme size and decision periods in Edinburgh, but this was not the case. At most there was a weak positive correlation for all applications excluding CUTON cases. For refused NEWO schemes there was an inverse correlation. Thus although Figure 5.15 shows Edinburgh to have a very wide range of decision periods and many schemes subject to considerable delay, it has to be concluded that it is usually not the gross floor area that affects the decision period.

The findings discussed above raise a number of interesting points. The most pronounced difference between the two cities was revealed in Figure 5.15. Almost three quarters of Dublin planning decisions were made between 50 and 60 days after the lodging of the planning application. This shows the strong deadline effect. The Edinburgh distribution exhibited a much lesser concentration about the mean, although it was noted from Table 5.4 that the means themselves were relatively similar. Edinburgh thus had a higher proportion of decisions taking over 60 days than Dublin (50.6 per cent compared to 15.4 per cent), but also had a higher proportion being determined in less than 50 days (40.6 per cent compared to 10.5 per cent). Also of note in the case of Edinburgh was the marked difference in decision periods, evident in both tables and Figure 5.15, between granted or withdrawn and refused applications. Refused schemes had substantially longer decision periods on average. It was equally clear that this feature was not present in Dublin.

It is suggested that these characteristics may be explained directly by the legislative and institutional differences that exist between the two planning systems. Most obvious is either the presence or absence of a fixed time limit. The overall averages show that there is some truth to Hypothesis E that Edinburgh has longer decision periods than Dublin, and that therefore the enforcement of a fixed time limit could lead to an improvement, but the difference is relatively small. It should also be noted that Dublin decisions only become final four weeks after the date of notification,[11] which more than cancels out the advantage.[12] The situation is more complex, though, since a sizeable minority of Edinburgh applications were processed more rapidly than was the case in Dublin. It is considered that this is evidence of greater flexibility in

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[10]In addition to the omission of CUTON planning applications, schemes affected by the Housing Acts are also omitted from the diagram due to their very different decision period characteristics.

[11]Third Party appellants have three weeks in which to lodge their appeal, and the applicant has four weeks. Refer to Chapter 3.

[12]There can be additional delays in Edinburgh as well, as most decisions affecting Listed Buildings are subject to confirmation by the Secretary of State, which can take up to six weeks or so.

the Edinburgh planning system, such that the time taken is that considered necessary to adequately handle an application. Further evidence for this is given by the refused schemes. In such cases the applicants are given considerable opportunity to revise the proposal in consultation with the Planning Department or to submit representations. Dublin appears to have a much more rigid system in which the two month period effectively serves both as an upper and a lower limit. It also serves to rule out the possibility of negotiation with the applicant in the case of an unsatisfactory proposal.

Despite the time limit and rigidity of the system, some evidence was found in Dublin to suggest that the characteristics of the planning application do affect the decision period. The type of scheme had a small effect with NEWO schemes taking longest on average. The type of application also had some influence with outline applications taking somewhat longer on average. The Edinburgh pattern was similar but with much larger disparities. It is suggested that these differences are the result of varying degrees of complexity or contention attaching to the various applications. It is difficult to measure such abstract concepts directly, but scheme type and type of application are considered to at least partly reflect them. A scheme involving construction of a new building is far more likely to be of public interest and more contentious than a change of use involving only minimal external alteration. Similarly, outline planning applications were specifically designed for developers to put forward large or contentious proposals for a decision in principle without the expense or delay of a full application. The much larger differences in Edinburgh are another manifestation of the greater flexibility of the system. It was hypothesised that the size of schemes would have been a good measure of complexity and/or contention and that therefore there would be a strong correlation between floor area and the decision time, especially in Edinburgh. In fact all correlation coefficients except one were small. The conclusion must be that floor area has relatively little relationship to the length of the decision period in either city.

The final element of possible delay occurs in the appeals process. Table 5.6 summarises the average appeal decision periods and the resultant totals according to the scheme type. A general characteristic of both cities is that the appeals generally take three or four times as long to determine as the original planning applications. A further common feature is that NEWO appeals took longer than CUTOO appeals which in turn took longer than CUTON appeals. It is suggested that this is again a reflection of the varying level of complexity and contentiousness of proposals. There is a divergence between the two cities, though, in terms of the actual delay incurred.

For the two main categories of CUTOO and NEWO schemes, Dublin appeals took about 5 months less to process.[13]

TABLE 5.6
Decision Periods for Appealed Planning Applications - by Type of Scheme

DUBLIN			
Scheme	Planning Authority Decision Period.	Appeal Decision Period.	Total Decision Period
NEWO	79	329	408
CUTOO	60	240	300
CU+NO	64	360	424
ON>NO	50	483	533
CUTON	60	215	275

EDINBURGH			
Scheme	Planning Authority Decision Period.	Appeal Decision Period.	Total Decision Period
NEWO	181	491	672
CUTOO	109	390	499
CU+NO	927	372	1299
CUTON	99	244	343

Note: All figures are averages measured in days.

Combined with the fact that the original Edinburgh decision periods were longer, the result is that the total time in Edinburgh for schemes that went to appeal averaged over 21 months for NEWO schemes and 16 months for CUTOO schemes. The Dublin figures are 13 months and 10 months respectively. Of the total elapsed time, between 73 per cent (NEWO) and 78 per cent (CUTOO) in Edinburgh can be attributed to the appeals process. In Dublin the figures were 80 per cent for both scheme types.

In conclusion, Edinburgh DPA has typically taken longer to determine an office planning application than the Dublin PA, but the average differences are somewhat marginal. Of more significance is the finding that Edinburgh decision periods have been far more variable than those in Dublin. It was argued that the implication is that Edinburgh decision periods better reflect the time actually necessary to examine and process an application, whereas in Dublin it would appear that almost all applications

[13]Note that for the CU+NO and CUTON categories in Edinburgh there were very small numbers of appeals.

have been processed according to a fairly rigid sixty day timetable. The Edinburgh arrangements also facilitate negotiation over unsatisfactory aspects of developments. It was noted in section 3 that Edinburgh did not appear to have been as restrictive of office development as had been anticipated, and the flexible decision periods and opportunities for negotiation are considered to be an important explanatory factor in reducing the apparent refusal rate relative to that in Dublin. The appeals situation is clearly different. Edinburgh appeals on average have taken around 5 months longer than those in Dublin, with the result that there have been very considerable differences in the total delay experienced by proposals that went to appeal. An average total delay of 21 months in respect of Edinburgh appealed NEWO applications compares very unfavourably with the corresponding 13 month figure for Dublin, and could be expected to impose considerable inconvenience and cost on the developer. Overall, therefore, the marginal extra delay in Edinburgh in determining office planning applications is counter-balanced by the advantages of greater flexibility and probably lower refusal rates and, perhaps, 'better planning'. The central government run appeals system does appear unduly slow compared to that in Ireland, with no obvious advantages.

6 THE IMPACT OF CONSERVATION PROVISIONS

In Edinburgh there were 464 planning applications (41.3 per cent) which were affected by Listed Building provisions and 661 that were not. The corresponding figures for Dublin were 492 planning applications (25.5 per cent) affected and 1437 unaffected.[14] In Edinburgh Listed Buildings were graded into five categories according to the merit of the structure. The highest grade was A Listed Buildings, which was followed by B Listed but part of an A Listed group, B Listed, C Statutory Listed and lastly C Listed. In Dublin buildings were either in List 1 (to be preserved) or the weaker List 2 (to be protected).

Figures 5.16 and 5.17 show an analysis of the decisions grouped by type of listing (if any), but with the Edinburgh data simplified to A, B, C and Not Listed classes. The first diagram is based on numbers of applications while the second is based on gross floor areas for those applications for which the data was available. It is not obvious from the diagrams, but a major difference is the higher incidence of both applications and area in Edinburgh that affected Listed Buildings (almost half the applications compared to a quarter in Dublin, and somewhat under a third of the area compared to

[14]For the CUTON category there were 181 out of 316 Edinburgh applications affected by Listed Building provisions, and 22 out of the 96 Dublin CUTON applications.

FIGURE 5.16

Planning Decision Numbers and Listed Building Status

Notes: Excludes CUTON applications. In Edinburgh B Listed includes the B listed A group class, and C Listed includes the C Statutory class.

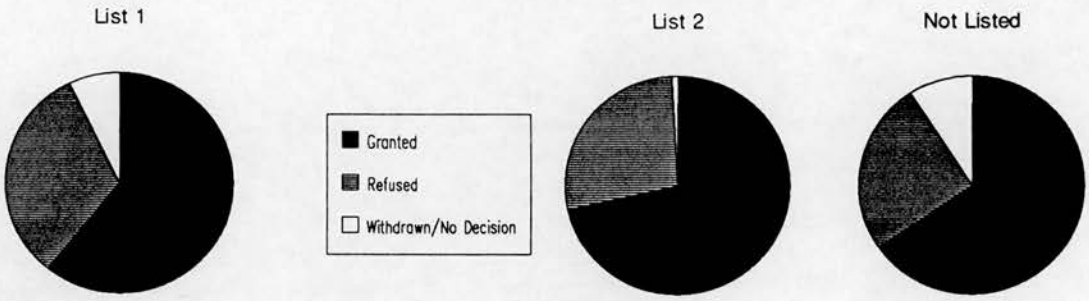
less than a fifth in Dublin). In both cities a somewhat smaller proportion of total proposed area affected Listed Buildings than actual numbers of applications did, but it should be borne in mind that planning applications involving Listed Buildings tended to be change of use schemes and thus had a high incidence of missing area data, especially in Dublin.

The figures show that in Dublin List 1 buildings had the highest success rate for office applications, which is the opposite of what was expected. In Edinburgh, on the other hand, the success rate increases as the Listed Building class weakens. The explanation for the Dublin finding can be partly found by looking at the result in terms of area, where the List 1 category had the lowest success rate, but also because a high proportion of these applications was CUTOO schemes. Edinburgh's consistent pattern disappears in the area results, but again the strongest protected category contained very few NEWO applications.

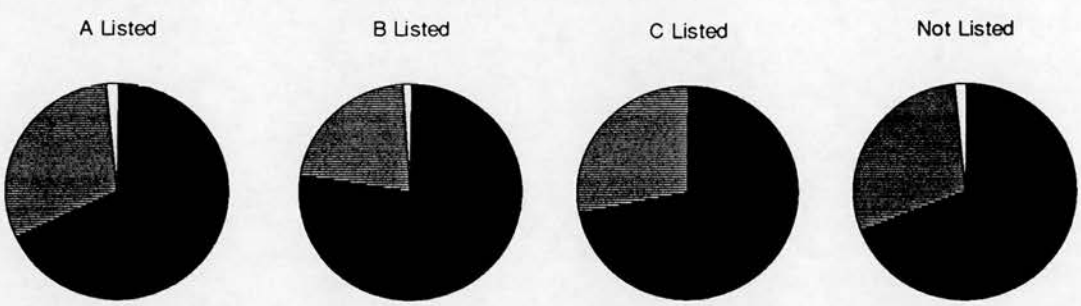
FIGURE 5.17

Planning Decision Areas and Listed Building Status

Dublin



Edinburgh



Notes: Excludes CUTON applications. In Edinburgh B Listed includes the B listed A group class, and C Listed includes the C Statutory class.

Table 5.7 contains matrices for both cities showing percentages of each decision classified according to the type of listing, derived from the numbers of applications.[15] In Dublin the success rate for applications affecting List 1 buildings was actually higher than that for applications not involving Listed Buildings, but for those involving List 2 buildings the rate was markedly lower. The success rates for all Listed Building categories except C Statutory were lower in Edinburgh than the rate for unaffected applications. There was a marked negative correlation between the class of listing and the proportion of grants, the C Statutory category excepted. For all except A Listed Buildings, Edinburgh success rates were higher than the rate for Dublin applications not involving Listed Buildings. The figures for Listed Buildings as a whole show that, notwithstanding the above, Listed Building status increased the failure rate in both cities, but by substantially more in Edinburgh.

[15]CUTON proposals have been omitted.

TABLE 5.7

Decision Percentages for Listed Building Categories

DUBLIN				
	GRANTED	REFUSED	WITHDRAWN	NO DECISION
LIST 1	67.4%	26.1%	2.7%	3.8%
LIST 2	50.6%	38.3%	3.9%	7.1%
ALL LISTED	57.0%	33.3%	3.4%	5.9%
NOT LISTED	62.9%	30.3%	3.8%	2.9%

EDINBURGH				
	GRANTED	REFUSED	WITHDRAWN	NO DECISION
A	56.8%	34.4%	8.0%	0.8%
B & A GROUP	68.2%	27.3%	4.5%	-
B	66.7%	28.6%	4.4%	0.4%
C STATUTORY	81.0%	14.3%	4.8%	-
C	73.9%	17.4%	8.7%	-
ALL LISTED	65.7%	28.2%	5.6%	0.4%
NOT LISTED	78.5%	16.6%	4.1%	0.8%

Note: The table excludes change of use to non-office (CUTON) schemes.

A similar analysis using gross floor areas is presented in Table 5.8. Both the percentages and areas (underneath) are shown as well as the total number of cases in each Listed Building category and the average areas. It has already been noted that the proportion of applications affecting Listed Buildings varied according to the type of development proposed. Specifically, in Dublin 25.4 per cent of all applications affected Listed Buildings but only 19.2 per cent of NEWO applications did. The corresponding figures for Edinburgh were 44.8 and 20.5 per cent. Given the deficiencies in the coverage of the floor area data and to ensure comparability of the results the table only covers NEWO applications.

For Dublin the lowest success rate switches to List 1 buildings while that for List 2 buildings becomes higher than that for applications that did not affect Listed Buildings. In Edinburgh success rates in area terms were higher for A, B and C Listed Buildings than those measured in terms of number of applications, but that for applications not affecting Listed Buildings was lower. In Edinburgh, though, the number of cases was very small except for class B buildings. For Dublin the average areas of schemes provides evidence to suggest that schemes involving Listed Buildings were smaller than those which did not and were smallest for the strongest

protected List 1 buildings. The picture is not so clear in Edinburgh, no doubt partly due to the small data set. Applications affecting A class buildings, though, were considerably smaller on average than those not affecting Listed Buildings.

TABLE 5.8

Areas by Decision for Listed Building Categories - NEWO Only

DUBLIN						
	GRANTED	REFUSED	WITH-DRAWN	NO DECISION	NO.	AVG. SIZE
LIST 1	59.5% 36,298	33.4% 20,419	7.1% 4,542	-	64	954
LIST 2	71.7% 199,384	27.7% 76,829	0.6% 1,612	-	116	2,395
ALL LISTED	69.5% 235,682	28.7% 97,248	1.8% 6,154	-	180	1,883
NOT LISTED	65.5% 1,309,694	25.4% 507,789	8.7% 173,195	0.5% 9,242	709	2,821

EDINBURGH						
	GRANTED	REFUSED	WITH-DRAWN	NO DECISION	NO.	AVG. SIZE
A LISTED	61.8% 3,747	38.2% 2,320	-	-	4	1,516
B & A GROUP	-	-	-	-	-	-
B LISTED	84.7% 72,191	15.3% 13,062	-	-	29	2,939
C STAT.	-	100% 3,252	-	-	1	3,252
C LISTED	83.0% 1,220	17.0% 250	-	-	3	490
ALL LISTED	80.3% 77,158	19.7% 18,884	-	-	33	2,910
NOT LISTED	67.0% 238,166	31.4% 111,767	0.0% 15	1.6% 5,700	120	2,964

Note: All areas are in square metres of gross floor space.

The data in respect of appeals shows that of the non-third party appeals in Dublin some 42 (9 per cent) involved List 1 buildings, 94 (20 per cent) List 2 buildings and 331 (71 per cent) did not involve Listed Buildings.[16] It was previously noted that 25.5 per cent of all Dublin applications involved Listed Buildings, so it is apparent that

[16]This does not include CUTON appeals.

appeals have been slightly less likely to involve Listed Buildings than planning applications to the PA. In Edinburgh 33 (60 per cent) appeals applied to the various categories of Listed Building and 22 (40 per cent) did not. Only 41.3 per cent of planning applications affected Listed Buildings, so contrary to Dublin appeals have been more likely to involve Listed Buildings. It does not seem that Listed Building status has deterred potential appellants in Edinburgh, but it may have in Dublin (especially for List 1 buildings).

Dublin appeal decision percentages, not including Third Party cases, were as follows:

List 1	Granted: 33.3%	Refused 50%	Withdrawn: 16.7%
List 2	Granted: 39.4%	Refused 47.9%	Withdrawn: 12.8%
Not Listed	Granted: 42.1%	Refused 44.8%	Withdrawn: 13%

These consistently show that, as was generally the case for the original applications, Listed Building status has tended to raise the level of refusals. Looking at the areas involved for NEWO schemes only gives the following figures:[17]

	Granted	Refused	Total Area	No.Cases	Average Area
List 1	21.1%	38.0%	19,629	25	785
List 2	23.2%	1.6%	77,859	33	2,359
Not Listed	47.7%	32.0%	519,387	160	3,246

These show a much sharper distinction between appeal results for Listed and Unlisted Buildings. Less than half the proportion of total area was granted for the former as compared to the latter. The proportion of total area for which the appeals were withdrawn was also at least double for Listed as compared to Unlisted Buildings. Average areas of schemes going to appeal were significantly smaller for Listed Buildings. Finally, the average size of Listed Building appeal grants was smaller than for those refused, but the average size of Unlisted appeal grants was larger than for those refused.

Edinburgh appeal decisions, showing the actual numbers due to the small data set, were as follows:

A List	Granted: 7	Refused: 6	Withdrawn: -
B(A) List	Granted: 1	Refused: -	Withdrawn: -
B List	Granted: 5	Refused: 11	Withdrawn: 1
Not Listed	Granted: 9	Refused: 10	Withdrawn: 3

[17]For NEWO schemes with area data only.

with there being no cases in either of the C categories. Overall, 39.4 per cent of Listed Building appeals were granted and 40.9 per cent of Unlisted appeals, suggesting that Listed status had little effect on the appeal outcome. Looking at areas for NEWO appeals, there were only six cases of which one each affected A and B Listed Buildings and four were Unlisted. None were granted and sizes ranged from 2,320 square metres for the A Listed case, 3,000 square metres for the B Listed case, to an average of 12,230 square metres for the Unlisted cases. It thus appears that Listed status is of major significance in reducing appeal grants for the NEWO category only.

Overall, the proportion of Edinburgh planning applications that affected Listed Buildings was almost double that in Dublin, but this is not unexpected given that there are more Listed Buildings in Edinburgh. It also supports Hypothesis H. In both cities success rates for applications affecting Listed Buildings tended to be lower than for the others, at least for the most protected categories. For all but A Listed Buildings, Edinburgh DPA granted permission for a higher proportion of applications than was the case in Dublin. It is also surprising that there was a high success rate measured in area terms for new construction (NEWO) schemes affecting Listed Buildings in Edinburgh. These findings would appear to be contrary to Hypothesis H. There was, though, a very limited number of such schemes, especially in comparison to Dublin. It is noteworthy that 36.6 per cent of Dublin applications affecting Listed Buildings were NEWO schemes, compared to 8.0 per cent in Edinburgh (excludes CUTON cases). It is suggested that in both cities Listed Building status has afforded extra protection and reduced the success rate for planning applications. The fact that the proportion of such grants is higher in Edinburgh can be explained by the fact that a far lower proportion was NEWO schemes and thus most did not materially detract from the building. In Dublin possibly the majority of the 191 NEWO Listed Building applications entailed demolition of the building. The average areas for NEWO schemes suggest that there is a limited tendency for Listed Building applications to be the smallest and perhaps thus also different in other ways.

Similar conclusions can be drawn in respect of appeals. Taking all the appeals, it was shown that only in Dublin were success rates markedly lower for the Listed categories. However, only 6 per cent of Listed appeals were for NEWO schemes in Edinburgh, compared to 44 per cent in Dublin, and there was a zero success rate for them. At the appeals level, therefore, Edinburgh decisions had very little potential effect on the physical appearance of Listed Buildings, unlike the Dublin situation.

Conservation areas were the other main method available to protect the built environment. Table 5.9 details decision rates for each Conservation Area category

based on the number of applications.[18] It should be noted that the SUBURBAN category actually consists of out of centre office developments.[19] For Dublin the FACADE category refers to cases where only the main facade was in a Conservation Area and not the rest of the building. The Dublin MISSING category covers eleven applications on the southern edge of the central city for which data was not available from the source used.

TABLE 5.9
Conservation Areas and Planning Decisions

DUBLIN					
	GRANTED	REFUSED	WITH-DRAWN	NO DECISION	NUMBER
SUBURBAN	56.9%	36.4%	2.6%	4.1%	720
MISSING DATA	27.3%	45.5%	9.1%	18.2%	11
FACADE	73.0%	20.0%	6.0%	1.3%	316
IN CONS. AREA	53.2%	37.5%	3.3%	6.0%	485
NOT IN CONS. AREA	71.5%	22.7%	4.3%	1.5%	396

EDINBURGH					
	GRANTED	REFUSED	WITH-DRAWN	NO DECISION	NUMBER
SUBURBAN	76.3%	18.9%	4.2%	0.6%	624
IN CONS. AREA	69.9%	24.3%	5.1%	0.7%	428
NOT IN CONS. AREA	67.1%	26.0%	6.8%	-	73

Note: Includes data for all applications except CUTON schemes.

It is apparent that in Dublin the success rate for applications within Conservation Areas was substantially lower than for those outside, but the facade only cases had a surprisingly high success rate. The success rate for the SUBURBAN applications was the third lowest. The proportion of withdrawn applications was highest for the FACADE class, suggesting that this category had a somewhat higher number of the

[18]As in Table 5.7 CUTON applications have been omitted. There were 163 Edinburgh CUTON applications that were located in Conservation Areas, and 37 such cases in Dublin.
[19]Data on Conservation Areas was only collected for the defined central areas. Refer to Chapter 4 for a fuller explanation.

more speculative applications. The proportion of NO DECISION cases was highest in the MISSING and IN CA categories, suggesting a concentration of CUTOO applications involving a loss of residential use in these classes.[20] In Edinburgh, on the other hand, the success rate for applications within Conservation Areas was higher than for those outside. Only 14.5 per cent of central area applications were not in Conservation Areas, though, compared to 32.8 per cent (or 58.9 per cent if FACADE cases are treated as being not actually in a Conservation Area) in Dublin. The most notable point about Edinburgh, however, is that the success rate for out of centre applications was by far the highest. This is particularly significant when it is borne in mind that 55.2 per cent of Edinburgh applications applied to sites outside the centre, compared to Dublin's 37.8 per cent.

TABLE 5.10

Conservation Areas and Decision Percentages for NEWO Schemes

DUBLIN (NEWO Only)					
	GRANTED	REFUSED	WITH-DRAWN	NO DECISION	NUMBER
SUBURBAN	60.9%	33.8%	4.4%	0.9%	317
MISSING DATA	25.0%	50.0%	25.0%	-%	4
FACADE	68.6%	21.9%	8.1%	1.4%	210
IN CONS. AREA	55.1%	42.7%	2.0%	0.5%	206
NOT IN CONS. AREA	72.9%	20.9%	5.5%	0.8%	258

EDINBURGH (NEWO Only)					
	GRANTED	REFUSED	WITH-DRAWN	NO DECISION	NUMBER
SUBURBAN	79.4%	15.4%	4.4%	0.7%	136
IN CONS. AREA	80.6%	12.5%	6.5%	1.4%	72
NOT IN CONS. AREA	75.0%	18.8%	6.2%	-	16

Table 5.10 is similar to Table 5.9, but only shows NEWO cases. In Dublin NEWO schemes in Conservation areas were least likely to be granted planning permission (ignoring the MISSING category), but the percentage granted is slightly higher than that in Table 5.9. This is due to the high incidence of change of use of residential

[20]No Decision results were usually associated with change of use applications where the proposed loss of residential accommodation was blocked by the Housing Acts.

property schemes in Conservation Areas and the high refusal/no decision levels affecting the percentage granted figure in Table 5.9. The FACADE category continues to have a high success rate and a somewhat higher proportion of withdrawals. The latter again suggests that many of these schemes were among the more speculative. In Edinburgh, NEWO schemes, whether in or out of Conservation Areas, were considerably more likely to be granted permission than other types. The differences from the corresponding Dublin figures were surprisingly large for the IN CA category, with Edinburgh appearing to have been far more permissive. This is also the case for SUBURBAN NEWO developments. Only for the NOT CA category were the decision proportions similar.

Table 5.11 shows an analysis of decision rates for the Conservation Area categories measured in terms of gross floor area. The data include only NEWO schemes, and for Edinburgh CUTOO schemes. The actual floor areas are shown underneath the percentages, and the average area for all applications in each category is also included.

In Dublin the success rates show little variation between the categories (with the exception of the small MISSING DATA class), but all are rather different to the rates shown in Tables 5.9 and 5.10. Relatively large differences from Table 5.10 exist for the FACADE (higher area refusal rate), IN CONS. AREA (much higher success and lower refusal rates) and NOT IN CONS. AREA (lower success rate, higher withdrawals) categories. This implies that for schemes in Conservation Areas the larger schemes have a somewhat higher success rate, and the opposite for schemes not in such areas, or with only the facade covered. This is only relative, though, since the average areas in the table show that in absolute terms proposals located within Conservation Areas were markedly smaller than those elsewhere, and the FACADE category had by far the largest schemes on average. The findings would be what would be expected if a reasonable proportion of Conservation Area schemes were large infill developments on gap sites, such as former factories.[21] Further research would be necessary to check to determine to what extent this was the case. The figures for average areas definitely show the effect of Conservation Area status in restricting the size of NEWO proposals, except for the FACADE category. In these cases the PA is presumably only concerned that the facade should be retained or

[21]Such schemes would be acceptable to the PA since they would not involve the loss of desirable buildings in the Conservation Area. In floor area terms a small number of such schemes could offset a larger number of refusals of small NEWO schemes and result in the fairly high 68.6 per cent area success rate.

replaced by something relatively in keeping with the street, thus giving developers a free hand in respect of the rest of the site.

TABLE 5.11
Decisions by Floor Space for Conservation Area Categories

DUBLIN (NEWO Only)						
	GRANTED	REFUSED	WITH-DRAWN	NO DECISION	NO.	AVG. SIZE
SUB-URBAN	64.4% 274,875	25.4% 108,266	9.0% 38,531	1.2% 4,956	255	1,673
MISSING DATA	17.5% 163	82.5% 770	-	-	3	311
FACADE	66.7% 679,259	28.7% 291,743	4.4% 44,600	0.2% 2,530	197	5,168
IN CONS. AREA	63.4% 130,354	32.2% 66,250	4.2% 8,701	0.1% 256	197	1,043
NOT IN CONS. AREA	67.0 460,725	20.1% 138,008	12.7% 87,317	0.2% 1,500	237	2,901

EDINBURGH (NEWO Only)						
	GRANTED	REFUSED	WITH-DRAWN	NO DECISION	NO.	AVG. SIZE
SUB-URBAN	63.9% 137,580	36.1% 77,659	-	-	88	2,446
IN CONS. AREA	76.1% 96,751	19.4 24,592	0.0% 15	4.5% 5,700	53	2,397
NOT IN CONS. AREA	73.9% 80,276	26.1% 28,400	-	-	15	7,245

EDINBURGH (CUTOO Only)						
	GRANTED	REFUSED	WITH-DRAWN	NO DECISION	NO.	AVG. SIZE
SUB-URBAN	80.2% 32,986	18.2% 7,734	1.1% 434	-	36	273
IN CONS. AREA	73.3% 51,673	24.3 17,149	2.4% 1,700	-	49	359
NOT IN CONS. AREA	88.5% 8,893	11.5% 1,157	-	-	4	2,640

Note: The lower figures are gross floor areas in square metres.

In Edinburgh the Conservation Area category had substantially the highest proportion of floor area granted permission, while the SUBURBAN category had the lowest. It

was noted in section 4 that scheme size and proportion of grants were inversely correlated, so it is not unexpected that a comparison of Tables 5.11 and 5.10 shows that for all three categories a lower proportion of area was approved than number of schemes. The difference is minimal for the small number of schemes not in Conservation Areas, and greatest for the SUBURBAN schemes. In contrast to Dublin, therefore, Edinburgh DPA favours the relatively smaller schemes within Conservation Areas. As in Dublin, Conservation Area schemes in general were substantially smaller than non-Conservation Area schemes, being about one third the size of NOT IN CONS. AREA schemes. It is noteworthy, though, that Edinburgh IN CONS. AREA proposals were nonetheless over twice the size of the equivalent in Dublin. The SUBURBAN category is of interest since it is evident that despite the bias in favour of smaller schemes being greater,[22] over 43 per cent of the office area granted permission in Edinburgh was outside the centre, compared to under 18 per cent in Dublin.[23] Area results are also shown for Edinburgh CUTOO schemes (although there is no comparable data for Dublin), and these provide an interesting contrast to the NEWO findings. These schemes were notably less successful in the Conservation Areas. Within the city centre they were much smaller than the limited number of schemes outside these areas. This result probably owes at least as much to the DPA policy to preserve central area residential use, as it does to conservation policy.

Table 5.12 shows the results of appeals as they affected each Conservation Area category, the net effects of appeals, the final numbers of grants of planning permission and the proportion of all applications that the latter figure represents. In Dublin appeal success rates were substantially the lowest for the IN CONS. AREA category (excluding the MISSING class), and highest for proposals not within Conservation Areas. Edinburgh was rather different since all NOT IN CONS. AREA appeals were refused, while the IN CONS. AREA category had the highest success rate. SUBURBAN appeals were proportionately less successful in Edinburgh, but in the final result this zone had the highest success rate. Overall, Dublin appeals were of numerically far greater significance.

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[22]The average grant was 1,859 square metres and the average refusal was 5,547 square metres.

[23]It should be noted that the suburban category covers a wide spectrum of locations. These include inner suburban locations where office development has been contrary to DPA policy and outer suburban locations where it has been encouraged. The relatively high level of refusals in floor area terms could be largely accounted for by the former. This will be investigated further in the spatial analysis section of Chapter 6.

TABLE 5.12
Conservation Area Appeals - Numbers

DUBLIN						
	NO. OF APPEALS	GRANTED %	REFUSED %	NET GRANTS	FINAL TOTAL	FINAL % GRANTED
SUB-URBAN	193	43.0	47.7	+58	468	65.0
MISSING DATA	3	-	100	-	3	27.3
FACADE	48	41.7	39.6	+13	243	76.9
IN CONS. AREA	143	33.6	51.7	+34	292	60.2
NOT IN CONS. AREA	80	48.8	32.5	+28	311	78.5

EDINBURGH						
	NO. OF APPEALS	GRANTED %	REFUSED %	NET GRANTS	FINAL TOTAL	FINAL % GRANTED
SUB-URBAN	22	36.4	50.0	+8	484	77.7
IN CONS. AREA	30	46.7	43.3	+12	311	72.7
NOT IN CONS. AREA	3	-	100	-	49	67.1

Note: The data exclude Dublin Third Party appeals, except that 'Net Grants', 'Final Total' and 'Final % Granted' include them.

Table 5.13 shows the results of appeals measured in terms of gross floor area for those NEWO and Edinburgh CUTOO applications with such data. No NEWO appeals were granted in Edinburgh so the final proportions of floor area granted permission are unchanged from Table 5.11. In Dublin, though, substantial net additional area was approved on appeal except for the SUBURBAN category. In this case reversals of planning permission due to Third Party appeals reduced the final approved area significantly. As a consequence the category had a final area success rate substantially lower than any of the others. For the remaining categories the majority of the net increase in floor area approved was in the NOT IN CONS. AREA zone, which finished with the highest overall success rate in Dublin. This was slightly higher than the corresponding Edinburgh result, but the reverse is true for the IN CONS. AREA zone. There was no corresponding data for Dublin CUTOO applications, but the Edinburgh results for this type of scheme show much higher final success rates than for the Edinburgh NEWO applications. The lowest success rate, though, is for the IN CONS. AREA zone, as it was in Table 5.11.

TABLE 5.13
Conservation Area Appeals - Gross Floor Areas

DUBLIN (NEWO Only)

	NO. OF APPLICANT APPEALS	GRANTED AREA m^2	REFUSED AREA m^2	NET GRANTED AREA	FINAL % GRANTED
SUBURBAN	65	24,570 23.4%	47,215 44.9%	-14,377	61.1%
MISSING DATA	1	-	668 100%	-	17.5%
FACADE	35	111,245 42.6%	64,592 24.8%	+14,777	68.2%
IN CONS. AREA	67	12,315 21.8%	18,944 33.6%	+8,718	67.7%
NOT IN CONS. AREA	50	121,874 62.9%	43,367 22.5%	+61,227	75.9%

EDINBURGH (NEWO Only)

	NO. OF APPLICANT APPEALS	GRANTED AREA m^2	REFUSED AREA m^2	NET GRANTED AREA	FINAL % GRANTED
SUBURBAN	3	-	34,274 100%	-	63.9%
IN CONS. AREA	2	-	5,320 100%	-	76.1%
NOT IN CONS. AREA	1	-	14,644 100%	-	73.9%

EDINBURGH (CUTOO Only)

	NO. OF APPLICANT APPEALS	GRANTED AREA m^2	REFUSED AREA m^2	NET GRANTED AREA	FINAL % GRANTED
SUBURBAN	6	299 45%	185 27.9%	299	80.9%
IN CONS. AREA	10	3,605 68.7%	1,342 25.6%	3,605	78.3%
NOT IN CONS. AREA	-	-	-	-	88.5%

Notes: Excludes Dublin Third Party appeals, except that 'Net Granted Area' and 'Final Per Cent Granted' are based on all appeal results.

In conclusion of the section, therefore, the following points should be noted: in terms of simple numbers of office applications the Dublin IN CONS. AREA category had a

lower success rate and the Edinburgh IN CONS. AREA category a higher one than for the other classes. In the former city, though, Conservation Areas were spatially much less extensive than in the latter. Edinburgh had a higher proportion of SUBURBAN office schemes granted planning permission, the importance of this being increased by the relatively much greater numbers of such applications. The Dublin FACADE category showed evidence of a higher proportion of the larger and more speculative schemes.

Considering the NEWO category only, such schemes in Dublin were numerically least likely to be approved in Conservation Areas. The FACADE category, however, had a high success rate and continued to appear to have a sizeable number of large and/or more speculative proposals. In Edinburgh the success rates were generally higher for NEWO schemes than for all offices. The numerical success rate in the IN CONS. AREA category was very much higher than the corresponding Dublin rate, as was that for SUBURBAN schemes. Considering NEWO schemes in terms of Gross Floor Area, the Dublin NOT IN CONS. AREA zone had the highest success rate. The IN CONS. AREA zone, though, had a bias in favour of approving the relatively larger schemes, while the reverse was true for the FACADE and NOT IN CONS. AREA categories. In absolute terms, though, the IN CONS. AREA schemes were on average by far the smallest and those in the FACADE category far and away the largest. It was considered possible that within the Conservation Areas approvals for gap site schemes could be an explanatory factor. In Edinburgh the IN CONS. AREA schemes had the highest success rate. All categories showed a bias towards approving the smaller schemes. In absolute terms the IN CONS. AREA schemes had the smallest average area, but this was still double the corresponding Dublin area. Dublin exhibited a centre dominated development pattern with only 18 per cent of NEWO area granted permission being outside the centre, which contrasts sharply with the Edinburgh figure of 43 per cent.

Looking at the appeals, the lowest Dublin success rate was for appeals located within Conservation Areas, but the net appeal grants significantly boosted the final success rates for all the categories. In Edinburgh the IN CONS. AREA appeals had the highest success rate, but the numbers of both appeals and appeal grants were low and had only a small effect on final success rates. Edinburgh finished with a much higher proportion of suburban and IN CONS. AREA applications being approved than was the case in Dublin. In NEWO area terms substantial net additional areas were granted permission on appeal in Dublin, but Third Party appeals did lead to a surprise reduction in final granted area for the SUBURBAN zone. The situation in Edinburgh is simple since no NEWO appeal was granted. The post appeal areal success rates in

Dublin were lowest for the SUBURBAN category and highest for the NOT IN CONS. AREA category, but somewhat different in Edinburgh since the IN CONS. AREA category was the highest. The Edinburgh rates, though, were all slightly higher than those in Dublin.

The analysis suggests that in Dublin Conservation Area provisions have been effective in reducing the success rates for office planning applications, especially for the NEWO schemes. In contrast it would seem that this was much less the case in Edinburgh. This is at variance with what would be expected given the different legislative nature of Conservation Areas in the two cities.[24] It is thus contrary to Hypothesis H. It is argued, though, that the picture is considerably more complex. Almost all of central Edinburgh is in a Conservation Area that both makes it more difficult for the DPA to drastically restrict grants of permission and increases the chance of such areas containing sites where development would be acceptable. Dublin Conservation Areas were smaller and quite tightly drawn around the most valuable historic areas. The broader drawn and less historically desirable FACADE areas actually had quite high success rates and played host to a considerable number of large and/or speculative schemes. As was the case with Listed Buildings, consideration also needs to be given to absolute numbers as well as just proportions. Whether measured in terms of numbers of schemes or floor area it is immediately clear that Dublin office development had a much greater volume of approved schemes both in and outside Conservation Areas. It is not evident from the data, but examination of office developments actually built shows that conservation provisions have had other manifestations that differ between the two cities. Central area NEWO Edinburgh schemes have typically either retained an existing facade or erected a stone Georgian style facade. They have often gone to considerable lengths to match the existing streetscape. Very few new buildings in Dublin Conservation Areas have attempted the same. In some cases they have been highly disruptive of the existing streetscape. One final factor to have emerged in this section is the fact that there would appear to be considerable intra-urban spatial variations. This topic will be considered in detail in Chapter 6.

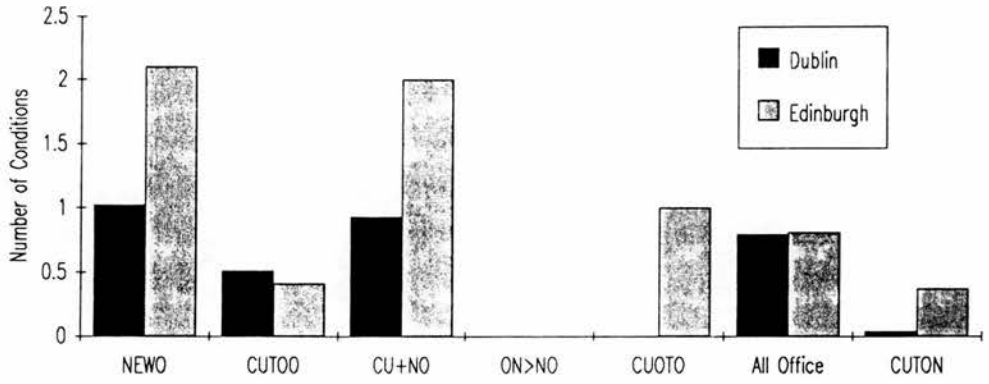
7 PLANNING CONDITIONS AND REFUSAL REASONS:

Grants of planning permission could be either conditional or unconditional. Excluding CUTON planning applications, exactly 47.7 per cent of grants of planning

[24]Refer to Chapter 3.

FIGURE 5.18

Average Numbers of Planning Conditions for Granted Applications



permission made in both Edinburgh and Dublin were unconditional.[25] For the remainder a wide variety of conditions were actually used and these are listed in Appendix 2. For simplicity the conditions were grouped into a number of broad classes according to their nature. At least one reason was given in the case of each refusal of permission and these are listed in Appendix 3. As in the case of conditions, refusal reasons were grouped into a number of broad categories.

Figure 5.18 shows average numbers of conditions attached to planning decisions in both cities. The analysis is classified according to the type of development scheme.[26] Examining the bar graph, it may be seen that grants of planning permission for CUTON schemes in both cities attracted relatively few conditions, especially in Dublin. Even in Edinburgh the average number was under half that for all other office developments. It is very noticeable from the diagram that Edinburgh had over twice the average incidence of conditions as Dublin for office developments involving new construction (i.e. NEWO and CU+NO), but that in the case of CUTOO schemes there was little difference. Within each city it may be noted that the average was always higher for schemes involving new construction than for those which did not.

The findings in respect of conditions support Hypothesis G that Edinburgh is relatively more strict than Dublin in controlling office development, and that it is especially so in the case of development involving new construction. The latter may be explained as being a result of the DPA's emphasis on conservation. The nature of

[25]Leaving aside standard Dublin conditions relating to such matters as obtaining building permits, etc. See Chapter 4.

[26]Applications which were withdrawn, deemed invalid or in respect of which no decision was made.

the actual conditions imposed has not, though, been considered as yet so it would be premature to fully accept the above conclusions.

TABLE 5.14
Most Frequent Planning Conditions

DUBLIN		
CODE	NO.	PLANNING CONDITION
601	53	A landscape plan should be submitted.
311	51	Areas not covered by the change of use to remain residential.
300	48	The development is to be partly in residential use.
101	47	The brick is to be approved.
611	31	Small alterations are to be made to the facade design.
600	27	The facade is to be in brick.
200	23	The outline permission is valid only for one year.
307	22	The development is for the applicant's use only.
508	21	The Georgian railings are to be repaired or replaced.
402	20	Granted for only part of the change of use application.
505	19	The trees are to be retained.
617	18	The brickwork should match the adjoining facades.
509	17	No alterations are to be made to the facade.
700	14	A payment to be made to the Corporation.
304	14	The existing residential use is to be kept.
	425	45.3 per cent of all the planning conditions.

EDINBURGH		
CODE	NO.	PLANNING CONDITION
105	93	The grant is subject to the approval of the Sec. of State.
104	51	The materials are to be approved.
100	47	The landscaping is to be approved.
204	44	The landscaping is to be completed within 1 year of the bldg.
301	33	The development is for the applicant's use only.
102	19	Satisfactory plans & elevations are to be submitted.
120	19	The siting, form, height, finishes are reserved matters.
200	15	Permission granted for one year only.
202	15	Permission granted for three years only.
135	14	Detailed plans are to be approved.
302	13	For professional office use only.
208	10	A landscape plan to be submitted within 3 months.
209	9	Landscaping to be completed within 6 months of building.
112	9	The brick is to be approved.
116	7	The natural stone is to be approved.
	398	59.6 per cent of all the planning conditions.

Note: Excludes CUTON applications.

Table 5.14 shows the fifteen most frequently used conditions in both Dublin and Edinburgh. The most common in Edinburgh was due to a statutory requirement to obtain the approval of the Secretary of State for Listed Building Consents. In general,

though, Edinburgh conditions give the appearance of being mostly time limits, matters still to be approved or restraints additional to those existing by virtue of the Planning Acts and Regulations (e.g. the 'for applicants use only' condition). Many Dublin conditions, on the other hand, give the appearance of restating matters which in Edinburgh would be covered by the approved plans, such as 'areas not covered by the change of use permission to remain residential'. This is an interesting finding. It is proposed that this is actually an indication of relative weakness in Irish development control. In some cases planners in Dublin seem to think it necessary to buttress their decisions with conditions which explicitly state what should have applied anyway.

FIGURE 5.19
Proportions of Planning Conditions in Each Class

Note: CUTON applications are excluded.

To aid comparison, conditions and refusal reasons were each grouped into seven broad classes of subject matter. Figure 5.19 shows the proportions of the total number of conditions in each city falling into each class.[27] There is a marked contrast between the two cities in the type of conditions attached to grants of permission for office developments. Over half of all Edinburgh conditions related to matters requiring the further approval of the DPA, but only 8.2 per cent of Dublin conditions were of this type. Edinburgh also had over three times the proportion of conditions involving time limits of a variety of different types. For the remaining classes the situation was reversed. Slightly over twice the proportion of Dublin conditions as in Edinburgh involved restrictions on use of the development. Only 0.6 per cent of Edinburgh

[27]Excludes CUTON applications.

conditions fell in the class of required modifications to the development compared to 11 per cent in Dublin. Dublin had almost double the proportion of preservation or conservation conditions, nearly six times the proportion relating to design and 1.8 per cent requiring a payment to the Corporation. There were no examples of the latter class in Edinburgh.

The major differences in the types of conditions imposed in the two cities shown by Table 5.14 and Figure 5.19, complicates the apparently straight-forward finding that Edinburgh imposed more conditions on average. The majority of Edinburgh conditions related to matters requiring further approval by the DPA or the Secretary of State, thus effectively making the grant of permission function as if it was an outline permission. A large proportion of the remaining conditions involved time limits either requiring completion of some aspect of the development or setting a limit on the period during which the development could be used. Neither of these classes of conditions were common in Dublin. A temporary grant of planning permission may, it is proposed, be considered to effectively constitute a refusal of permission at a later date. The existence of such temporary consents in Edinburgh, and there were 54 altogether,[28] would thus make the city more restrictive of office development than suggested by the simple analysis of development control decisions. The remainder of conditions in the first two classes would not, however, appear to be particularly onerous on the applicants.

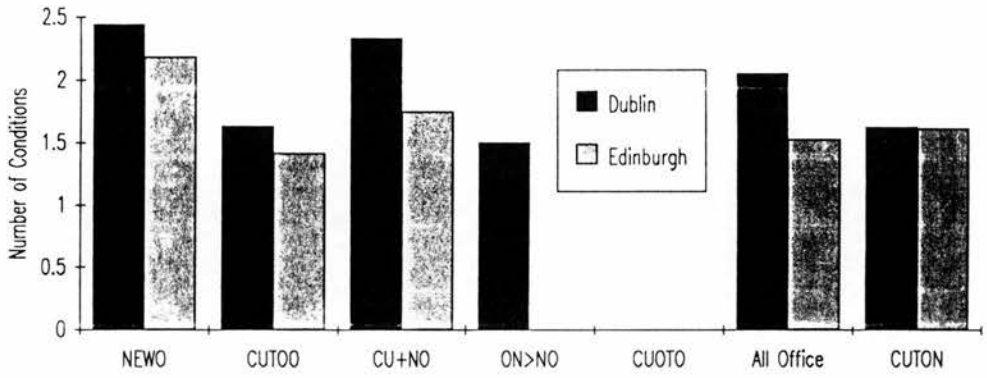
The other four classes in Edinburgh accounted for only just over a quarter of conditions compared to over four fifths in Dublin. The impact of these conditions varied widely from minor provisions such as protecting a mature tree during construction work to those having major implications such as omitting part of the proposal. Overall, these conditions would appear to be more onerous than those in the first two classes. It is thus surprising that Dublin appears to make relatively much heavier use of them, since this is contrary to Hypothesis G. This would seem to imply that the Dublin PA has been using conditions to try to exercise stricter control than they have been used to achieve in Edinburgh.

Turning to refusal reasons, Figure 5.20 shows that the differences between average numbers of refusal reasons are much smaller, at either the inter or intra-urban level. Comparing CUTON schemes to all other office developments reveals virtually no difference in Edinburgh. In Dublin all other schemes had a slightly higher average number of refusal reasons. Considering the separate types of office development

[28]Excludes CUTON applications.

FIGURE 5.20

Average Numbers of Refusal Reasons per Application



Note: Withdrawn and No Decision applications are excluded.

shows that more reasons, on average, were given for refusals of developments involving new construction than for change of use schemes. The averages for all the different types of office scheme were marginally higher in Dublin than in Edinburgh.

The results do not have a direct bearing on the strictness or otherwise of development control, but the average numbers of refusal reasons are, however, of interest. In the event of an appeal the stated reasons would form the basis of the PA's submission. The higher average number of reasons in Dublin, it is suggested, are an attempt by the planners to make refusals more robust in the face of a high level of appeals and a willingness on the part of An Bord Pleanála to grant them. As has been previously noted there were few appeals in Edinburgh and only a small proportion was successful. The average numbers of refusal reasons for cases that were appealed are:

Appeal Refused (NEWO only)	Dublin: 2.53 Edinburgh: 2.20
Appeal Granted (NEWO only)	Dublin: 2.14 Edinburgh: NONE
Appeal Refused (Not NEWO or CUTON)	Dublin: 1.68 Edinburgh: 1.45
Appeal Granted (Not NEWO or CUTON)	Dublin: 1.56 Edinburgh: 1.30

This suggests that refusals with high numbers of reasons were less likely to be successfully appealed against in both cities. The higher averages in Dublin are thus, it is argued, indicative of relatively weaker control over office development at the appeal stage.

Tables 5.15 and 5.16 show the fifteen most frequently used refusal reasons for NEWO and CUTOO schemes respectively. Also shown is the number of times that a

particular refusal reason occurred in successful appeals. This gives a rough measure of the effectiveness of the reason at resisting appeals.[29]

TABLE 5.15
Most Frequent Refusal Reasons - NEWO Schemes

DUBLIN				
CODE	NUMBER	REASON	APPEALS GRANTED	%
100	89	The site is zoned for residential use.	17	19
300	62	It exceeds the site coverage/plot ratio.	15	24
202	44	It would cause over-looking.	6	14
200	40	It would be detrimental to amenity.	7	18
400	40	It has inadequate parking provision.	8	20
301	33	It would cause over-development.	2	6
201	26	It would cause over-shadowing.	3	12
203	26	It would be out of character.	2	8
312	22	It contains no residential content.	9	41
504	22	Road widening scheme.	2	9
208	18	It would be visually obtrusive.	1	6
302	16	It would be excessive in height.	2	13
306	15	It would have too little residential content.	4	27
102	14	It would be contrary to the zoning.	4	29
401	13	It would generate excessive traffic.	1	8

EDINBURGH				
CODE	NUMBER	REASON	APPEALS GRANTED	%
401	9	It would generate excessive traffic.	-	-
104	6	Contrary to office restraint policy.	-	-
202	5	Detrimental to a Conservation Area.	-	-
100	4	The site has residential zoning.	-	-
204	3	It would be detrimental to Listed Building.	-	-
306	3	It would have too little residential content.	-	-
403	3	New traffic would be detrimental to safety.	-	-
404	3	New traffic would cause congestion.	-	-
102	2	It would be contrary to the zoning.	-	-
211	2	It would be out of character.	-	-
324	2	It would lead to over-development.	-	-
201	2	Loss of a Listed Building.	-	-
320	2	The proposed front elevation is unsuitable.	-	-
700	2	Conditional reduction in floor area.	-	-

[29]Since several reasons were usually given for each refusal, the totals of the Appeal Granted columns are not the same as the actual numbers of successful appeals discussed in previous sections. No

TABLE 5.16
Most Frequent Refusal Reasons - CUTOO Schemes

DUBLIN				
CODE	NUMBER	REASON	APPEALS GRANTED	%
100	208	The site is zoned for residential use.	50	24
400	38	There is inadequate parking provision.	6	16
308	31	Involves the loss of a residence.	11	36
200	27	It would be detrimental to amenity.	5	19
109	11	Zoned for a maximum 40% office content.	3	27
102	10	It would be contrary to the zoning.	6	60
301	10	It would cause over-development.	2	20
401	9	It would generate excessive traffic.	1	11
604	9	Contrary to conditions of a previous grant.	3	33
305	6	It would constitute a fire hazard.	-	-
129	6	Loss of a shop.	4	67
309	5	The development would be sub-standard.	-	-
110	4	Site zoned for mixed use.	1	25
202	4	Would cause overlooking.	-	-
213	4	Loss of a garden.	2	50

EDINBURGH				
CODE	NUMBER	REASON	APPEALS GRANTED	%
303	55	Loss of residential use.	3	6
104	47	Contrary to office restraint policy.	3	6
105	38	Contrary to policy iro central res.	5	13
112	29	Contrary to policy iro non-retail use.	-	-
101	19	Loss of a shop.	6	32
200	11	Would be detrimental to res amenity.	-	-
106	9	Contrary to Policy iro loss of shops.	1	11
102	8	Contrary to zoning.	-	-
212	7	Office use on a common stair.	-	-
309	7	No need for proposed development.	-	-
100	6	Residential zoning.	1	17
204	6	Would be detrimental to Listed Building.	1	17
116	5	Non-retail use exceeds 25% of frontage.	2	40
114	4	Non-retail use exceeds 5% of frontage.	-	-

Note: 'iro' stands for 'in respect of'.

As expected, there are substantial differences between the reasons for refusing NEWO schemes and those for CUTOO refusals. Of more interest are the inter-urban differences for the same scheme type. For NEWO schemes, Edinburgh reasons can be characterised as mainly traffic, conservation or residential protection reasons. Dublin

attempt has been made to look at the combinations of reasons used, and whether or not appeal successes varied between them.

reasons are mainly residential protection, excessive development or parking reasons. Only the Dublin 'out of character' reason could be seen as conservation oriented, while in Edinburgh the 'would lead to over-development' reason and 'conditional reduction' reasons were the only examples of the excessive development type. For CUTOO schemes, conservation type reasons were uncommon, even in Edinburgh, but this is not surprising. Edinburgh reasons were dominated by policies to prevent loss of residential use in the city centre, loss of shops on main retail streets and the central area office restraint policy. Dublin reasons were also characterised by a desire to avoid loss of residential use in the inner suburbs, and to a lesser extent traffic/parking issues. Loss of shop type reasons were not common, nor was there any equivalent reason to that provided by the Edinburgh office restraint policy. The 'Would constitute a fire hazard' and 'Development would be sub-standard' reasons are worth noting because there was not a single reason used in Edinburgh that would indicate that a proposal failed to comply with building regulations. This indicates that a small proportion of Dublin proposals was of a rather poorer standard than those in Edinburgh. It provides some further evidence to support the explanation of apparently higher application success rates in Edinburgh as partly a reflection of differences in the nature of the office development proposals, rather than of Dublin being more restrictive.

The information on appeals given in Tables 5.15 and 5.16 obviously reflects the greater number and relative success of Dublin appeals, but also shows considerable variations between the different refusal reasons. For new office schemes in Dublin, An Bord Pleanála was especially likely to overturn planning authority decisions where the refusal reasons included 'Excessive site coverage/plot ratio', 'Inadequate parking' and codes 312, 306 and 102. The latter three related mostly to an attempt to force the inclusion of some residential content in schemes in the south-east Georgian area. For CUTOO schemes Dublin appeal successes were over twenty per cent for the majority of the most frequently used reasons. An Bord Pleanála appears not to have shared the Corporation's concern about loss of housing or shops. Only the traffic, amenity/overlooking and building bye-law type reasons consistently held up on appeal. In Edinburgh only the 'Loss of Shop' reason was frequently the subject of a successful appeal.

It is suggested that the above pattern reflects the differences between Irish and Scottish planning law. The Development Plan rule based approach of the former thus contrasts with the indicative and more flexible planning of the latter. Attempts by Dublin Corporation to stretch the scope of planning control through more sophisticated policies, such as the 40 per cent residential content policy, have met

with limited success at the appeal stage. Attempts to restrict loss of residential use and shops in specific cases have been undermined by the zoning of most of the central and inner city as being suitable in principle for office use in the various Development Plans. An Bord Pleanála would appear to have considered appeals solely in terms of the specific provisions of the Development Plan.

FIGURE 5.21
Proportion of Refusal Reasons in Each Class

Note: CUTON applications are excluded.

Figures 5.21 and 5.22 show pie charts of all refusal reasons classified into seven broad categories. Figure 5.21 shows diagrams for all types of application except CUTON, while Figure 5.22 has charts for NEWO and CUTOO schemes. The categories are those used in Appendix 3, and as shown in the key to the diagrams.

Overall, Edinburgh had a higher proportion of its reasons in the zoning/development plan or specific policy category, or in the other planning reasons category. Dublin had a higher proportion of reasons in the amenity, parking/traffic, conflict with PA proposals and legal reasons categories.[30] As already noted, there are substantial differences between reasons given for NEWO and CUTOO refusals, clearly due to the different impacts of such developments. Between the two cities certain differences are apparent. For both scheme types Dublin had a greater incidence of the Legal refusal reason type. Edinburgh actually had only one such reason recorded. It is suggested that this is further evidence of a less rigorous approach to planning applications on the part of Dublin applicants compared to those in Edinburgh. It also

[30]Refer to Chapter 4 for an explanation of the reason for conditional reductions in area being treated as a refusal of permission. The PA does not give refusal reasons in such cases.

reflects the fact that a refusal reason such as 606 - The Advertising of the Application was Inadequate - relieves the Corporation of any possible liability to pay compensation. For NEWO schemes Dublin had a slightly higher incidence of reasons relating to conflict with PA proposals, due to the extensive city centre street widening schemes and council housing plans. Edinburgh had a much greater share of reasons for NEWO refusals in the Parking/Traffic category, reflecting the greater concern over inner city congestion and the desire to ameliorate the problem without significant damage to the historic fabric of the city. The lesser concern over this issue in Dublin probably arises through a combination of a reluctance to promote decentralisation because of potential rates revenue losses to the adjoining County Council, and a reliance on the extensive road proposals to solve any problems. For the CUTOO schemes the main difference was the much greater proportion of the Other Planning Reasons type in Edinburgh, largely relating to losses of residential use. All the differences should, however, be treated with caution and are difficult to interpret as the individual reasons used in both cities were usually different.

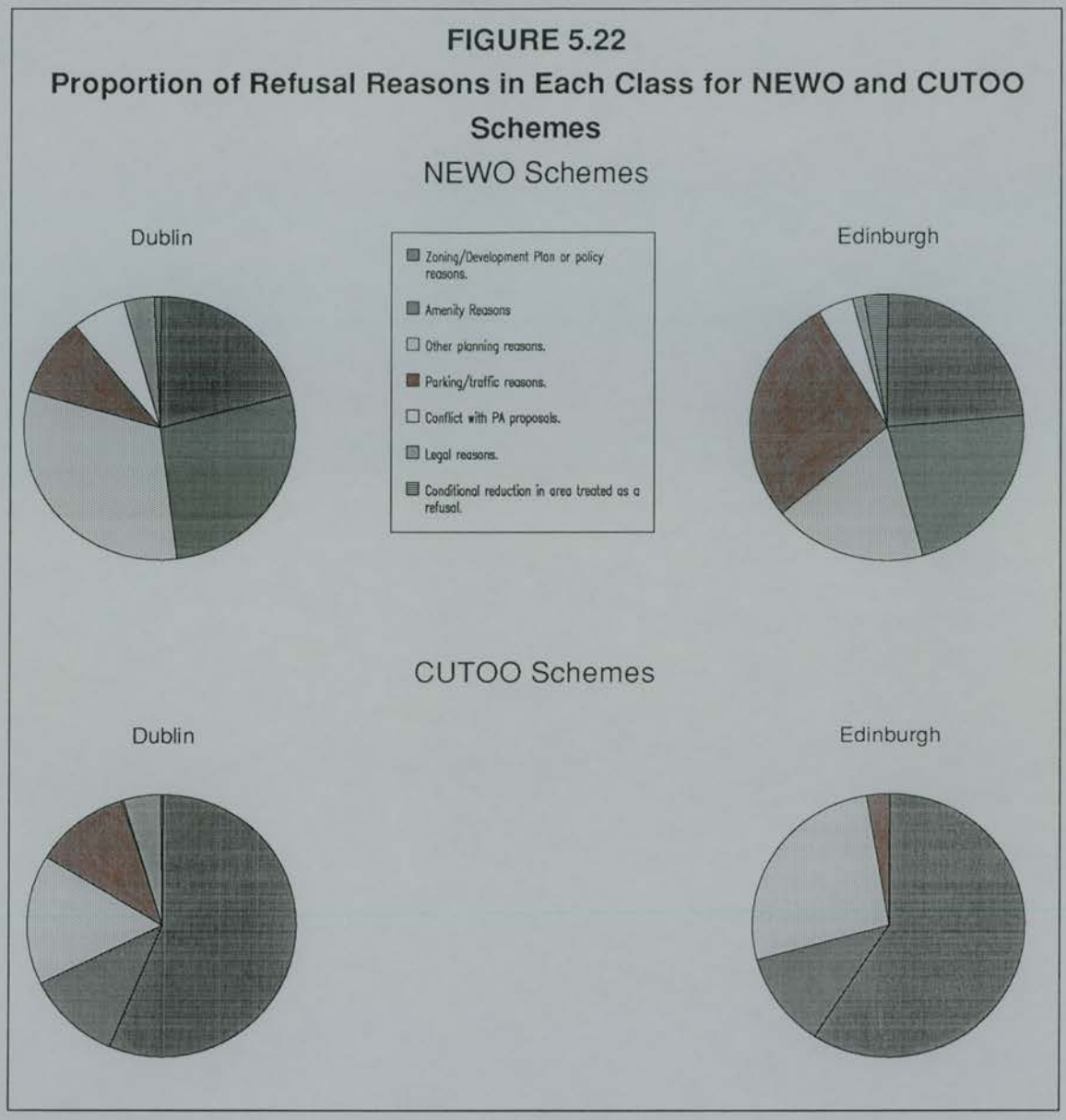
CONCLUSION:

The comparison of the two cities treated as single units has produced rather mixed results for the eight hypotheses of the study. It can certainly be concluded that there is no simple pattern to the planning decisions made in Dublin and Edinburgh. Some of the hypotheses have been supported, for example Edinburgh applications did take longer to determine on average than their Dublin counterparts. Others have not, for example it could not be said that a lower proportion of applications had been granted permission in Edinburgh than Dublin (Hypotheses A and C). The initial picture, therefore, is one in which there is no clear result for the broader hypothesis that Edinburgh has been the more restrictive. As has been seen, initial impressions from the analyses frequently suggest the opposite, such as the finding that Edinburgh grants a higher proportion of NEWO applications.

The point has been made repeatedly, though, that the findings require deeper consideration. Closer interpretation of the results led to some suggestions of possible explanations. There was some indication that Dublin applications are the more speculative and controversial, with the applicants making less effort to submit plans that take account of the planning guide-lines. This would tend to increase the level of refusals in Dublin, but perversely as an indication of relatively weak development control. It may also be that Edinburgh has a restrictive planning reputation with a

FIGURE 5.22

Proportion of Refusal Reasons in Each Class for NEWO and CUTOO Schemes



strong emphasis on conservation has served to filter out many unsuitable and potentially refusable schemes before they were formally proposed.

Before considering the findings, the conclusions and possible explanations further, the two remaining themes of the detailed analysis will be investigated. These cover the temporal trends and patterns, and the intra-urban spatial distributions. It has already become evident from the investigation of Conservation Areas that the two cities probably have rather different spatial patterns of development.

CHAPTER 6

THE PLANNING CONTROL SYSTEMS COMPARED - PART 2

INTRODUCTION:

The results of the analysis of the planning applications database presented so far have been rather mixed. Several of the hypotheses have been supported, but on the other hand a significant number of results were contrary to expectations. The initial conclusion, therefore, was that the comparison is more complex than originally envisaged. Clearly no simple pattern is going to emerge that will unambiguously support the proposition that Edinburgh has been more restrictive of office development. The analysis so far, however, has treated Edinburgh and Dublin as if the internal spatial and temporal patterns of proposed office development were similar. In other words, the analysis sought to compare only the overall characteristics of office development control for each city as a whole. Before it is possible to consider the results further, the analysis requires to be completed. Part of the explanation of what appears a somewhat contradictory picture may be that the temporal and spatial characteristics of office development are not similar in the two cities. Indeed this has been at least partially anticipated by Hypothesis F. This proposes that the spatial pattern of office development applications have been substantially different. Some evidence to support this is already available as a by-product of the examination of Conservation Areas. This revealed some substantial differences between central and suburban locations.

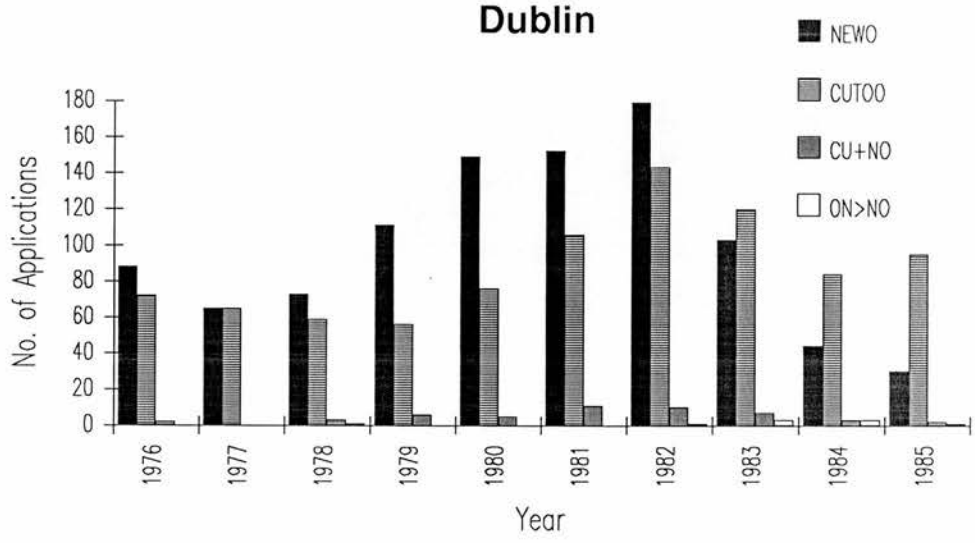
In this chapter the attention will focus in the first half on an analysis and comparison of the temporal pattern of development control. In the second half the focus will switch to exploring the spatial characteristics of office development and the implications for Hypothesis F.

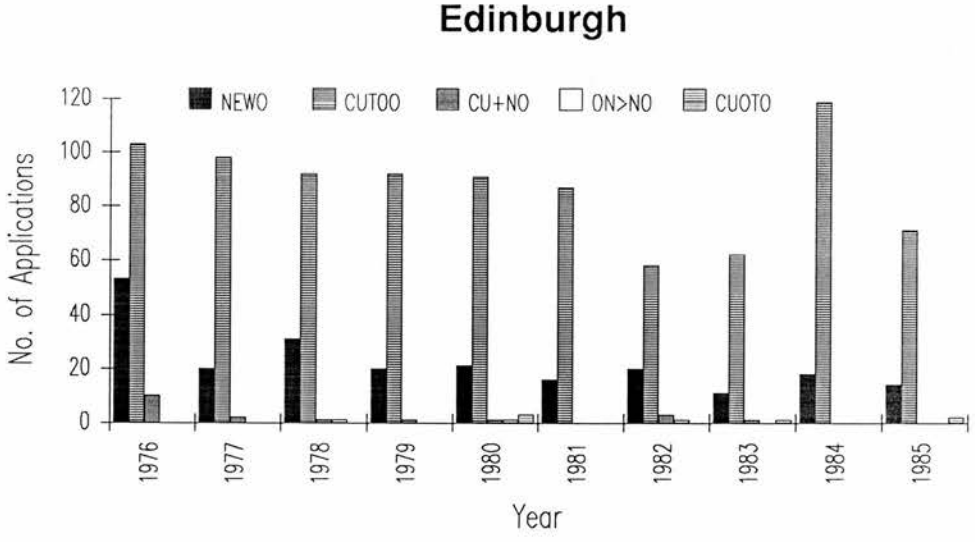
THE TEMPORAL PATTERN OF OFFICE DEVELOPMENT APPLICATIONS:

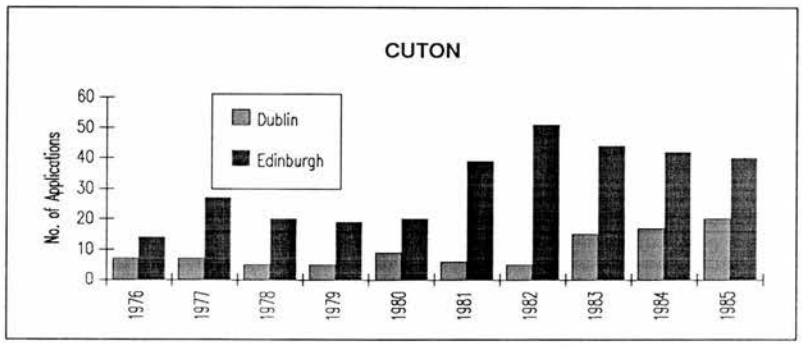
1 NUMBERS OF APPLICATIONS

The 1,929 (plus 96 CUTON) Dublin and 1,125 (plus 316 CUTON) Edinburgh office planning applications are not evenly distributed over the ten years of the study period,

FIGURE 6.1
Planning Applications Per Year







as is evident from Figure 6.1. The bar chart shows the number of applications made each year with each column being subdivided into the five scheme types recorded. The data for Change of Use to Non-Office purposes (CUTON) is shown separately in the smaller graph. The most striking contrast between the cities is the strong cyclical fluctuation evident in Dublin as against the fairly even Edinburgh distribution. There is evidence for a gradual decline in applications in Edinburgh to a minimum in 1983 with a slight recovery after that. This is dwarfed by the boom experienced in Dublin in the period to 1982 and the abrupt collapse after that. It is also evident that in Dublin the greatest fluctuation lies in the number of NEWO (new office construction) schemes.[1] In Edinburgh the CUTOO (change of use to office) class shows some variability, while NEWO schemes are fairly constant in number (except for 1976).[2] The CUTON applications are of interest where it is obvious that these have been consistently more important in Edinburgh. In both cities the numbers rose towards the end of the period, being the inverse trend to that for office applications. In Dublin CUTON applications were insignificant until the property slump of 1983 onwards. Market conditions presumably caused some small tendency for the more marginal offices to be converted to other uses offering more attractive returns. The higher levels in Edinburgh may reflect the probably more diverse and prosperous use pattern of the city centre, planning pressure to maintain residential and retail use, or the less buoyant office market.

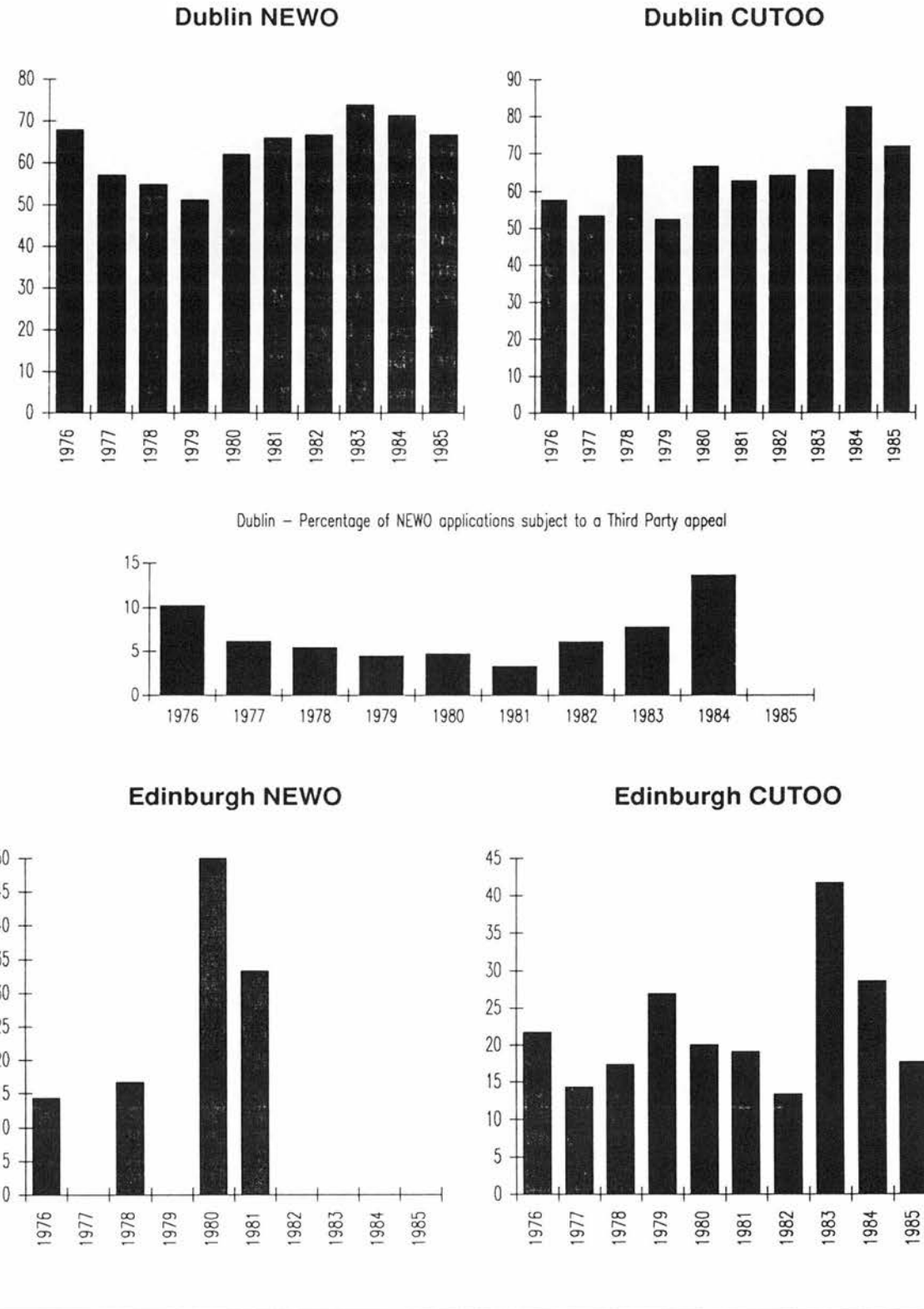
Figure 6.2 shows the percentage of refused NEWO and CUTOO applications that were subject to appeals in each year. The smaller graph shows the proportion of all NEWO applications subject to Third Party appeals.[3]

In the case of Dublin the absolute numbers of appeals vary more or less in proportion to the numbers of planning applications made, and also somewhat to the proportion of applications refused. The decisions made about planning applications will be considered in detail in section 3, but the graphs in Figure 6.4 show the pattern of refusals. Nineteen eighty-two had the highest number of appeals and 1985 the lowest coinciding with the maximum and minimum for planning applications. In the case of NEWO schemes, though, apparently the proportion of applications subject to appeal varies cyclically. As the office boom got under way after 1978 the proportion of refused NEWO applications subject to appeals rose to a maximum in 1983, the year

[1]See also Figure 6.3. The left hand NEWO bar graph has a considerably greater amplitude than the right hand CUTOO graph.
[2]Refer also to Figure 6.3.
[3]4There were only eleven CU+NO appeals (plus four Third Party appeals) and only one ON>NO appeal in Dublin. In Edinburgh there was only one CU+NO appeal.

FIGURE 6.2

Proportion of Refused Planning Applications Subject to an Appeal



after the planning applications peak. In 1984 and 1985 the absolute numbers of appeals fell sharply, but the graph shows only a small decline since the number

refused also fell steeply (see Figure 6.4). The Pearson correlation coefficient between the proportion of NEWO refusals subject to appeal and the number of refusals shows a moderate statistical relationship (r = 0.434). On the other hand there is a strong relationship between the total number of NEWO applications and the percentage subject to appeal (r = 0.807). This implies that Dublin appeals increased disproportionately in the boom. Both relationships can probably be explained by the fact that developers have a greater incentive to secure planning permission during peak periods. The proportion of NEWO applications subject to Third Party appeals shows rather the opposite pattern of a decline as the boom progressed up to 1981 and a rise thereafter, but no such appeals were made in 1985 which spoils the pattern. This is noteworthy because these appeals are a possible mechanism for the public to challenge the granting of planning permission, and might be expected to be more common in a property boom. The fact that this did not happen may reflect weak public opposition to office development proposals, or difficulties in using the appeal procedure. Dublin CUTOO appeal numbers tend to reflect changes in the number of planning applications, but there are considerable fluctuations. The graph of the proportion appealed does not show any clear pattern.

There were few Edinburgh NEWO appeals, with the result that no particular trend can be identified. For CUTOO schemes there was at least one appeal each year, but again no trend or relationship to the data in Figure 6.1 appears evident.

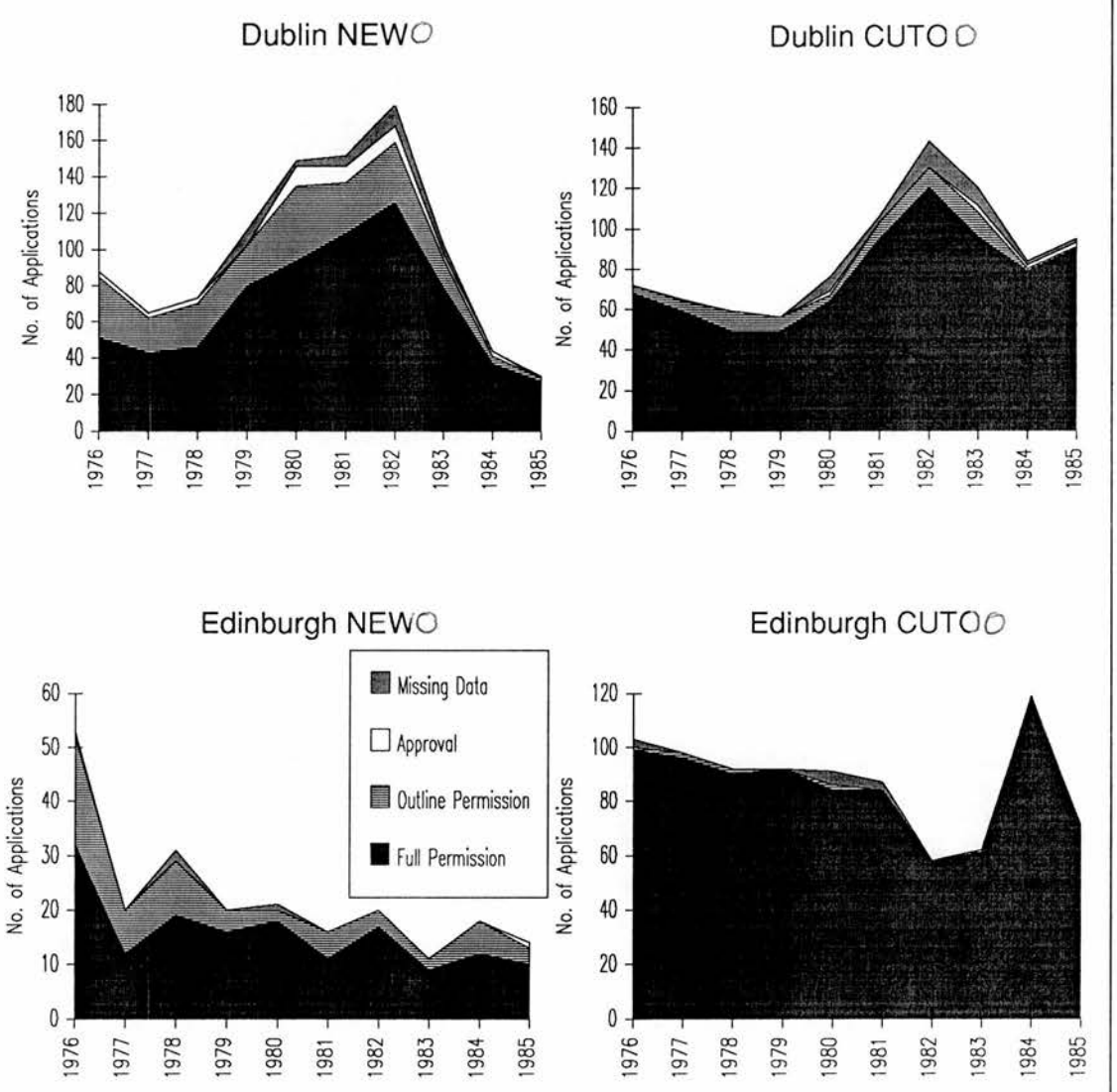
It is clear from the findings that Dublin office planning applications exhibit a much more pronounced cyclical variability than has been the case in Edinburgh. Office development is obviously linked to the overall economic environment. To this extent the Dublin office boom of 1979 to 1982 reflected a more general period of rapid economic growth, and the property slump thereafter likewise reflected the following recession. Edinburgh office development applications do not appear as closely linked to other economic factors. The deep recession of 1980 and 1981 is not evident in Figure 6.1, while the slow recovery after 1983 is only slightly reflected in a rise in CUTOO applications. The high level of NEWO planning applications in 1976 was probably linked to plans for devolution of Government to Scotland, which have yet to be implemented.

2 APPLICATIONS CLASSIFIED ACCORDING TO TYPE

Figure 6.3 shows NEWO and CUTOO applications classified according to whether they were outline planning permission, full planning permission or approval planning permission applications. It is relevant here to refer also to Figure 6.5 which shows all

non-CUTON office schemes, with a graph for full permission applications on the left and outline permission applications on the right.[4]

FIGURE 6.3
NEWO & CUTOO Applications by Type



As was noted in Chapter 5, applications for outline planning permission were mostly also NEWO schemes. Figure 6.3 shows that the proportions of NEWO schemes that were of the outline type showed some difference in the temporal pattern between the two cities, with a sharp decline in Dublin after 1982. There is also some evidence to suggest that Edinburgh has also experienced a slow decline in the popularity of outline planning applications over the period. In 1976 Dublin had 39 per cent of

[4]Data as to the type of permission sought was not available in respect of a substantial number of withdrawn planning applications. The graphs only include those withdrawn schemes for which data was available. See Chapter 4.

NEWO applications made in the form of outline proposals and Edinburgh also 39 per cent. By 1985 the respective figures were 7 per cent and 22 per cent.[5] Figure 6.5 shows the downward trend in the absolute number of all outline permission applications more clearly. Interestingly, it can be seen that the Dublin pattern shows relatively little of the strong property cycle discussed earlier and shown in Figure 6.1, except that the numbers of outline permission applications abruptly fell from 1984 onwards. Most of the cyclical fluctuation prior to 1984 can be seen to have been in the full permission category.

In Edinburgh Figure 6.5 shows that outline permission applications declined substantially in numbers up to 1978 but continued at an almost constant low level after that. The graph of full permission applications is very similar to that in Figure 6.1 (since these were the majority of applications) but with a slightly greater temporal fluctuation. The dip in the early 1980's is a little deeper.

Outline applications were almost unknown for Edinburgh CUTOO schemes, but were of significance for such schemes in Dublin. Absolute numbers were highest at the peak of the boom, but proportionately there is no clear pattern. In particular, there is no downward trend in the proportion of such applications over the period, as there was for NEWO schemes.

No diagram is presented of appeals classified according to the type of application, but the following comments apply. The very small number of NEWO appeals in Edinburgh makes it impossible to identify any temporal pattern. For Edinburgh CUTOO schemes, appeals were only made in respect of full permission applications. The proportion of CUTOO full permission applications subject to appeal in any year held very steady at around 5 to 6 per cent. For Dublin NEWO schemes, appeals ranged from 7.4 to 27.5 per cent of full permission applications made in any one year, and from 18.8 to 100 per cent of outline permission applications. In only two years (1977 and 1983) were the proportions lower for outline as compared to full permission applications. There is some suggestion that the proportion of outline permission applications subject to appeal rose in the boom years, but there are inconsistencies. There is less evidence for such a trend in the data for full permission applications.

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[5]The Dublin percentages for 1984 and 1985 were exceptionally low, reflecting the severe recession and the almost complete cessation of large and/or speculative development.

3 DECISIONS ON PLANNING APPLICATIONS

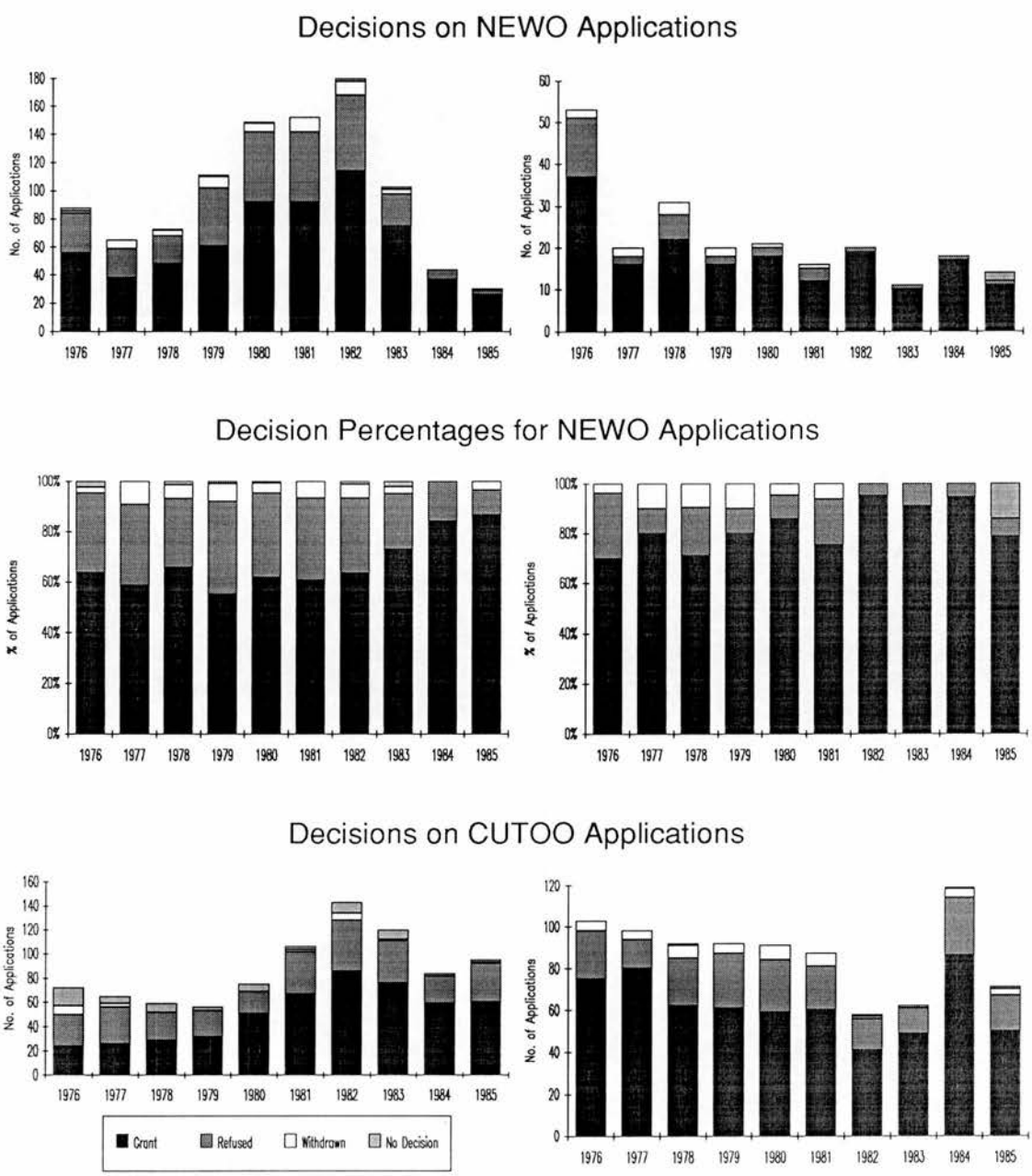
Figure 6.4 shows graphs of planning decisions (whether granted, refused, withdrawn or no decision made) for NEWO and CUTOO schemes on a year by year basis, with Dublin on the left and Edinburgh on the right. The upper two graphs are for NEWO schemes and the lower two for CUTOO. The two in the middle show the percentages of each type of decision for NEWO schemes only. For NEWO schemes the following trends exist: in Dublin the proportion of schemes granted permission fell as the total number of such applications rose, as can be seen from the top and middle graphs (Pearson correlation coefficient of -0.629).[6] The same pattern was evident for Edinburgh NEWO schemes but was slightly weaker (Pearson correlation coefficient of -0.586). The proportion of NEWO schemes granted planning permission has also risen over time in both cities, but the correlation is stronger in Dublin (Pearson correlation coefficients of 0.766 for Dublin and 0.629 for Edinburgh). For CUTOO schemes, there was only a moderate relationship between the proportion granted planning permission and the number of such schemes in Dublin (Pearson correlation coefficient 0.430), but there was a strong correlation between the proportion of grants and the year, indicating a rising trend (Pearson correlation coefficient of 0.849). In Edinburgh there were negligible correlations between the proportion of CUTOO schemes granted planning permission and both the total of such schemes and the year (Pearson correlation coefficients of -0.069 and -0.039 respectively).

The findings are interesting since they suggest that for NEWO schemes refusal rates rise as the total number of schemes rises. This could be due to either or both of the following reasons: firstly, the proportion of poor quality or otherwise unacceptable schemes rises during the property booms, and secondly the planners find it politically easier to reject undesirable developments during a boom when alternative schemes, construction industry jobs, and so on are in plentiful supply. The apparent rise in the proportion of schemes granted permission over time may reflect central government pressure on District Planning Authorities in Scotland to facilitate developments, thus leading to a less restrictive planning system over time. In Dublin, though, the high correlation is probably more an artefact of the timing of the boom and subsequent severe slump.[7] For the CUTOO schemes the Dublin result, suggesting a rise in the proportion of grants of permission over time, was influenced by the ending of

[6]The correlation co-efficients have to be treated with some care since the ten year study period gives a relatively small sample size of 10.

[7]In 1984 and 1985 there was a virtual absence of the large and potentially controversial developments common in earlier years, so the proportion of NEWO schemes granted permission rose dramatically to 86.7 per cent in Dublin.

FIGURE 6.4
Decisions on NEWO and CUTOO Applications



restrictions on the conversion of residential property to other uses.[8] This is manifested by the gradual relative decline in the No Decision category (mostly applications frozen awaiting consent from the Minister). It is therefore clear evidence of a weakening of attempts by the Planning Authority to preserve inner city housing,

[8]The provisions of the Housing Acts in this respect ceased to apply as from the 1st January 1985, and had gradually reduced in significance over the nine years previously. See Chapter 3.

something that may also be linked to the slowly rising concern to preserve Georgian Dublin. This is because the PA considers that commercial or office uses may be necessary to secure the finance to restore and maintain the buildings (Corporation of Dublin, 1980). The absence of any upward or downward trend over time in Edinburgh for the proportion of CUTOO schemes granted permission suggests that the DPA has not varied its policies or assessment criteria in respect of loss of inner city residences or shops. The lack of any significant link between the number of applications and the proportion granted for CUTOO schemes may be partly because there is less cyclical fluctuation (there is a moderate, but not significant, correlation in Dublin), but is probably also because these schemes are not a prime focus for speculative or controversial office development. In other words, CUTOO schemes are almost all relatively small, tend to be for owner occupation, and do not greatly change in character depending on the phase of the property cycle.[9]

Refer now to Table 6.1 which shows the final year by year proportions of applications granted planning permission after incorporating the effects of appeals. The results are shown for NEWO and CUTOO schemes only and allow for the effects of third party appeals in Dublin. Little can be said about trends or patterns in appeal decisions for Edinburgh schemes due to the very low numbers of appeals.[10] In Dublin there is a moderate positive correlation with the year for both NEWO and CUTOO percentages granted permission on appeal for applications refused by the PA (Pearson's r of 0.422 and 0.436 respectively). There is a moderate negative correlation between the percentage of NEWO schemes granted permission on appeal originally refused permission by the PA and the total number of NEWO applications ($r = -0.512$), and a weak to moderate positive correlation in the case of CUTOO schemes ($r = 0.442$).[11] There is therefore only a weak indication of appeal success rates rising over time in Dublin. There is also a weak suggestion that appeal decisions on schemes originally refused permission were related to the overall number of such planning applications. There is no evidence of any relationships or trends in Edinburgh.

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[9]It is not claimed that this is true elsewhere, or outside the study period.

[10]All NEWO appeals were refused or withdrawn. For CUTOO schemes the proportion granted permission fluctuates between 0 and 100 per cent, as might be expected when appeals ranged between 2 and 8 per year.

[11]The correlation is between the proportion of the schemes granted permission on appeal and the total number of such schemes, both figures being for the year of the original planning application. The decision might actually have occurred in the following year.

TABLE 6.1

Post Appeal Planning Decisions - By Scheme

DUBLIN

YEAR	TOTAL NUMBER		% GRANTED BEFORE APPEAL		% GRANTED AFTER APPEAL		PERCENTAGE CHANGE	
	CUTOO	NEWO	CUTOO	NEWO	CUTOO	NEWO	CUTOO	NEWO
1976	72	88	33.3	63.6	44.4	71.6	+33	+13
1977	65	65	40	58.5	50.8	61.5	+27	+5
1978	59	73	49.2	65.8	52.5	69.9	+7	+6
1979	56	111	57.1	55	57.1	63.6	-	+15
1980	76	149	68	61.7	73.7	66.4	+8	+8
1981	106	152	63.2	60.5	68.9	68.4	+9	+13
1982	143	180	60.1	63.3	68.5	65.6	+14	+4
1983	120	103	63.3	72.8	74.2	77.7	+17	+7
1984	84	44	70.2	84.1	83.3	93.2	+18	+11
1985	95	30	64.5	86.7	76.8	90	+19	+4

EDINBURGH

YEAR	TOTAL NUMBER		% GRANTED BEFORE APPEAL		% GRANTED AFTER APPEAL		PERCENTAGE CHANGE	
	CUTOO	NEWO	CUTOO	NEWO	CUTOO	NEWO	CUTOO	NEWO
1976	103	53	72.8	69.8	74.8	N	+3	N
1977	98	20	81.6	80	81.6	O	-	O
1978	92	31	67.4	71	69.6		+5	
1979	92	20	66.3	80	68.5		+3	
1980	91	21	64.8	85.7	68.1	C	+5	C
1981	87	16	69	75	71.3	H	+3	H
1982	58	20	70.7	95	72.4	A	+2	A
1983	62	11	79	91	82.3	N	+4	N
1984	119	18	72.3	94.4	77.3	G	+7	G
1985	71	14	70.4	78.6	70.4	E	-	E

For Dublin NEWO schemes, incorporating appeals makes little difference to the correlation coefficients recorded above. That for the year correlated with the final proportion granted permission being r = 0.731 against 0.766, and for the total number of NEWO applications correlated with the final proportion granted permission being r = -0.635 against -0.629. The percentage change figure showed little in the way of a rising or falling trend over the decade (r = -0.278), nor was there a relationship to the total number of NEWO applications (r = 0.126). In Edinburgh there were no successful NEWO appeals.

For Dublin CUTOO schemes appeals had a slightly greater impact. The relationship between the year and the final percentage granted is stronger (r = 0.932) than that above (r = 0.849). There is also a better correlation between the final proportion

granted permission and the total number of CUTOO schemes (r = 0.525) than that recorded above (r = 0.430).

Figure 6.5 shows bar graphs for planning decisions on full permission applications in the top half and on outline permission applications in the lower half.[12] As was noted in Chapter 5, refusals of permission have been much higher in Dublin for outline applications than for other types, but this did not actually hold in 1976 and 1977. The one strong relationship to emerge in connection with these decisions, clearly visible in the graph, is that in Dublin the proportion of full permission applications granted permission rose over time (r = 0.897). This is probably explained by a combination of the phasing out of controls on loss of residences and the property slump at the end of the period. There was a weak to moderate correlation between the proportion of full permission applications granted and the total numbers of such applications (r = 0.449), which suggests some tendency for the proportion to rise in the boom. Examining the graph, though, shows that this is mostly an artefact of the rise in the success rate over time and the boom being mostly in the latter part of the study period. Outline applications have a very weak tendency towards a falling success rate over time (r = -0.144), effectively no correlation between the success rate and the total of all outline applications (r = 0.09), and no relationship between the success rate and the total of non-CUTON outline applications (r = -0.053). If 1985 is omitted[13], then the proportion of Dublin outline permission applications granted permission shows a weak negative correlation with the total numbers of outline permission applications (r = -0.333) and with the total numbers of all non-CUTON applications (r = -0.265). This suggests some tendency for more outline applications to be refused in periods of greater activity.

For full permission applications in Edinburgh there is little annual fluctuation in the proportion being granted permission, with the result that all the correlation coefficients calculated (the same as for Dublin) were low. For Edinburgh outline permission applications the very low numbers render the percentage of applications granted permission highly volatile and unlikely to give any meaningful result.

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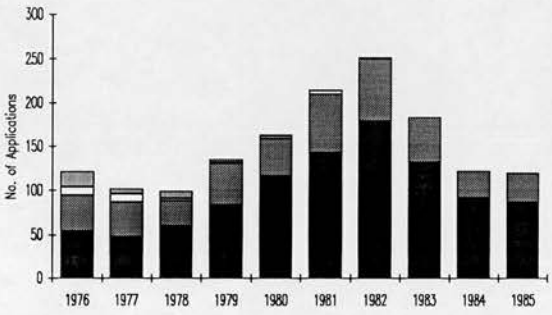
[12]Data as to the type of permission applied for was not available for a substantial number of withdrawn applications. The diagram only includes withdrawn applications for which it was available. Note that the scale used to represent outline permission applications is much greater than that used for full permission applications.

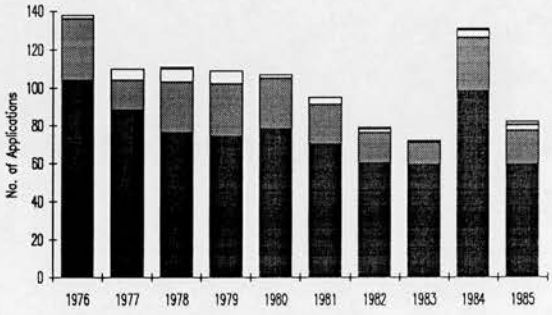
[13]There were only three outline applications so there were only four possible values for the percentage of schemes granted.

FIGURE 6.5
Decisions on Applications - By Type of Permission Sought (Excludes CUTON)

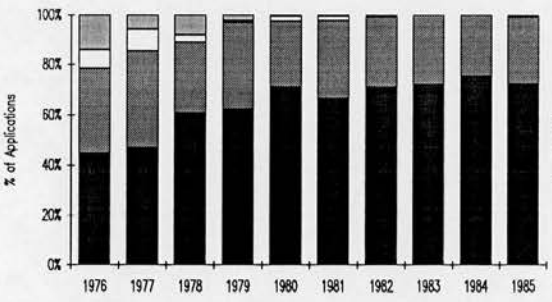
Dublin **Edinburgh**

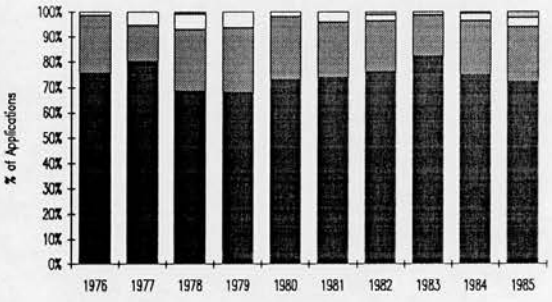
Decisions on Applications for Full Planning Permission



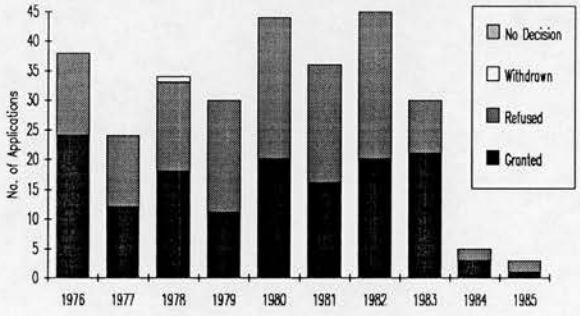


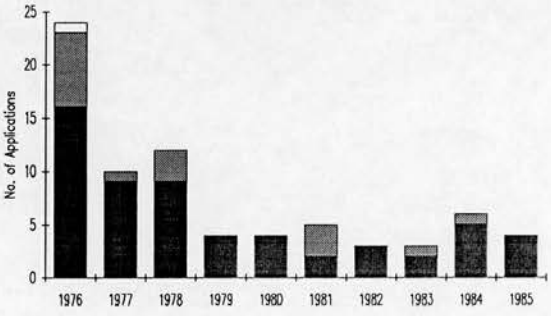
Decision Percentages for Applications for Full Planning Permission



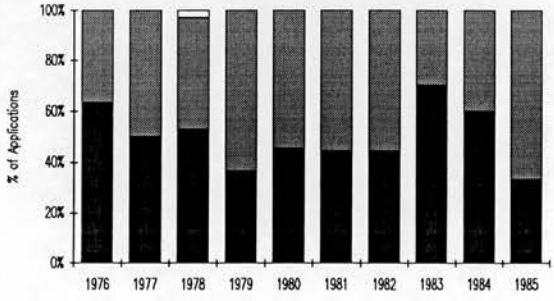


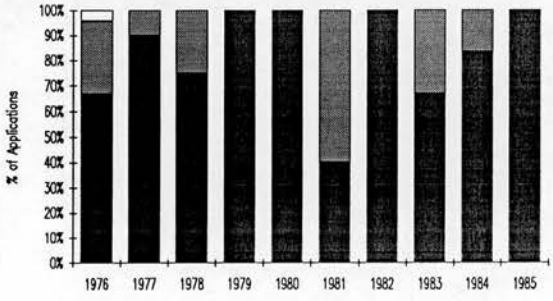
Decisions on Applications for Outline Planning Permission





Decision Percentages for Applications for Outline Permission





It may be concluded, therefore, that classifying the data according to the type of permission sought somewhat obscures the earlier findings when the data were divided into NEWO and CUTOO schemes. Thus for both cities the NEWO refusal rate was found to rise in peak periods. The rate for full permission planning applications, on the other hand, showed a slight tendency to fall in Dublin, and no correlation in Edinburgh. This suggests that scheme type (e.g. NEWO and CUTOO) is a more useful variable than type of planning permission (e.g. full permission). This is because the major distinction between planning applications would seem to be between NEWO and CUTOO schemes, rather than between full and outline planning permission. Since outline applications tend also to be for NEWO schemes, the results reflect the similar, but stronger, relationships identified for NEWO schemes.

Turning to the appeals classified according to the decision and type of permission sought, the following results were obtained: in Dublin the percentage of appeals against a refusal of full permission that were granted showed some tendency to rise over time ($r = 0.472$). There was also a weak negative correlation between the percentage figure and the total number of full permission applications ($r = -0.32$). Neither, however, is significant at the 10 per cent level. Recalculating the above pair of correlations for appeals in respect of refused applications for outline permission gives results of $r = 0.766$ and $r = -0.892$ respectively. The former is significant at the 2 per cent level and the latter at the 1 per cent level.[14] Thus the proportion of outline permission appeals (made against a PA refusal) granted has risen over time and fell as the number of outline permission applications rose.[15] In Edinburgh there were only four appeals involving outline permission (none of which were successful) so it is not possible to identify any pattern or trend. The proportion of full permission appeals that were granted permission shows no rising or falling trend over time ($r = 0.187$) and no correlation with the number of full permission applications ($r = 0.103$).

Table 6.2 shows the final year by year proportions of planning applications granted permission after allowing for the effects of appeals. The results are shown for applications for outline and full permission. The effects of third party appeals in Dublin have been incorporated.

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[14]The significance tests, though, should be treated with caution since the sample size is small (10 years). In addition the years were not randomly selected.

[15]Third Party appeals have been omitted from these results, as have appeals made against the conditions of a grant of permission.

TABLE 6.2
Post Appeal Planning Decisions - By Type of Permission

DUBLIN

YEAR	TOTAL NUMBER		% GRANTED BEFORE APPEAL		% GRANTED AFTER APPEAL		PERCENTAGE CHANGE	
	FULL P	OP	FULL P	OP	FULL P	OP	FULL P	OP
1976	121	38	44.6	63.2	54.5	71.1	+22	+13
1977	102	24	47.1	50	54.9	54.2	+17	+8
1978	99	34	60.6	52.9	62.6	58.8	+8	+3
1979	135	30	62.2	36.7	69.6	40	+12	+9
1980	163	44	71.2	45.5	77.9	50	+9	+10
1981	215	36	66.5	44.4	73.9	52.8	+11	+19
1982	252	45	71	44.4	76.2	48.9	+7	+10
1983	183	30	72.1	70	80.9	76.7	+12	+10
1984	122	5	75.4	60	86.9	80	+15	+33
1985	120	3	72.5	33.3	83.3	66.7	+15	+100

EDINBURGH

YEAR	TOTAL NUMBER		% GRANTED BEFORE APPEAL		% GRANTED AFTER APPEAL		PERCENTAGE CHANGE	
	FULL P	OP	FULL P	OP	FULL P	OP	FULL P	OP
1976	138	24	75.4	66.7	76.8	N	+2	N
1977	110	10	80	90	80	O	-	O
1978	111	12	68.5	75	70.3		+3	
1979	109	4	67.9	100	69.7		+3	
1980	107	4	72.9	100	75.7	C	+4	C
1981	95	5	73.7	40	75.8	H	+3	H
1982	78	3	76	100	78.2	A	+3	A
1983	72	3	81.9	66.7	84.7	N	+3	N
1984	131	6	74.8	83.3	79.4	G	+6	G
1985	82	4	72	100	72	E	-	E

Notes: Type of permission missing for some withdrawn applications.
Excludes CUTON schemes.

The appeals had significant effects in Dublin on the final success rates, as is clearly shown in the table. Final correlations for Dublin are as follows: The full permission applications success rate showed a stronger correlation with the year ($r = 0.947$ against 0.897 before the appeals above), for the same reasons given previously. The outline permission success rate switches from $r = -0.144$ to 0.363 when correlated against the year, due to the rising proportion of outline appeal successes over time. The correlations for success rates against the total numbers of non-CUTON applications are $r = 0.382$ compared to 0.449 for full permission schemes, and $r = -0.529$ compared to -0.333 for outline permission schemes. The last correlation is not quite significant at the 10 per cent level, but does suggest that, at the end of the

planning process, outline applications are less likely to be granted in peak periods for such applications.

4 GROSS FLOOR AREAS OF OFFICE APPLICATIONS

It was noted in Chapter 5 that the difference between Dublin and Edinburgh was greater when measured in terms of gross office floor area, than in absolute numbers of planning applications. A comparison of Figure 6.6, which shows the proposed areas of NEWO developments, with Figure 6.1, showing numbers of NEWO proposals, confirms that this also holds true over time[16]. Apart from 1976, Edinburgh has a remarkably uniform annual area level. Dublin continues to exhibit a clear cyclical pattern, but with a greater amplitude than was shown in Figure 6.1. In particular, the decline up to 1985 is much steeper.[17]

The graphs in Figure 6.6 also show the breakdown of decisions by the Planning Authorities in terms of gross area. In Edinburgh the majority of refused floor area occurred prior to 1981, but without any other clear pattern evident. For Dublin the graph suggests that refusals and withdrawals were proportionately more significant at the height of the boom, than they were at other times. Correlation coefficients have been calculated to clarify the relationships. For Edinburgh correlations were r = 0.212 and 0.072 respectively for the percentage of NEWO and CUTOO area granted permission related to the year, indicating no particular trend over the period. Corresponding correlation coefficients for the relationships with total floor areas of NEWO and CUTOO applications are r = -0.206 and -0.182, both of which are weak and not statistically significant. These suggest that there was no relationship between the area granted permission and the total area applied for in the year. This contrasts with the results in section 3 for numbers of applications, which had correlations of -0.586 for NEWO and -0.069 for CUTOO schemes. Dublin, however, has clear relationships for the NEWO scheme type. The correlation between the proportion of area granted permission against the year is r = 0.583 (significant at the 10 per cent level), and against the total NEWO area is -0.715 (significant at the 5 per cent level).

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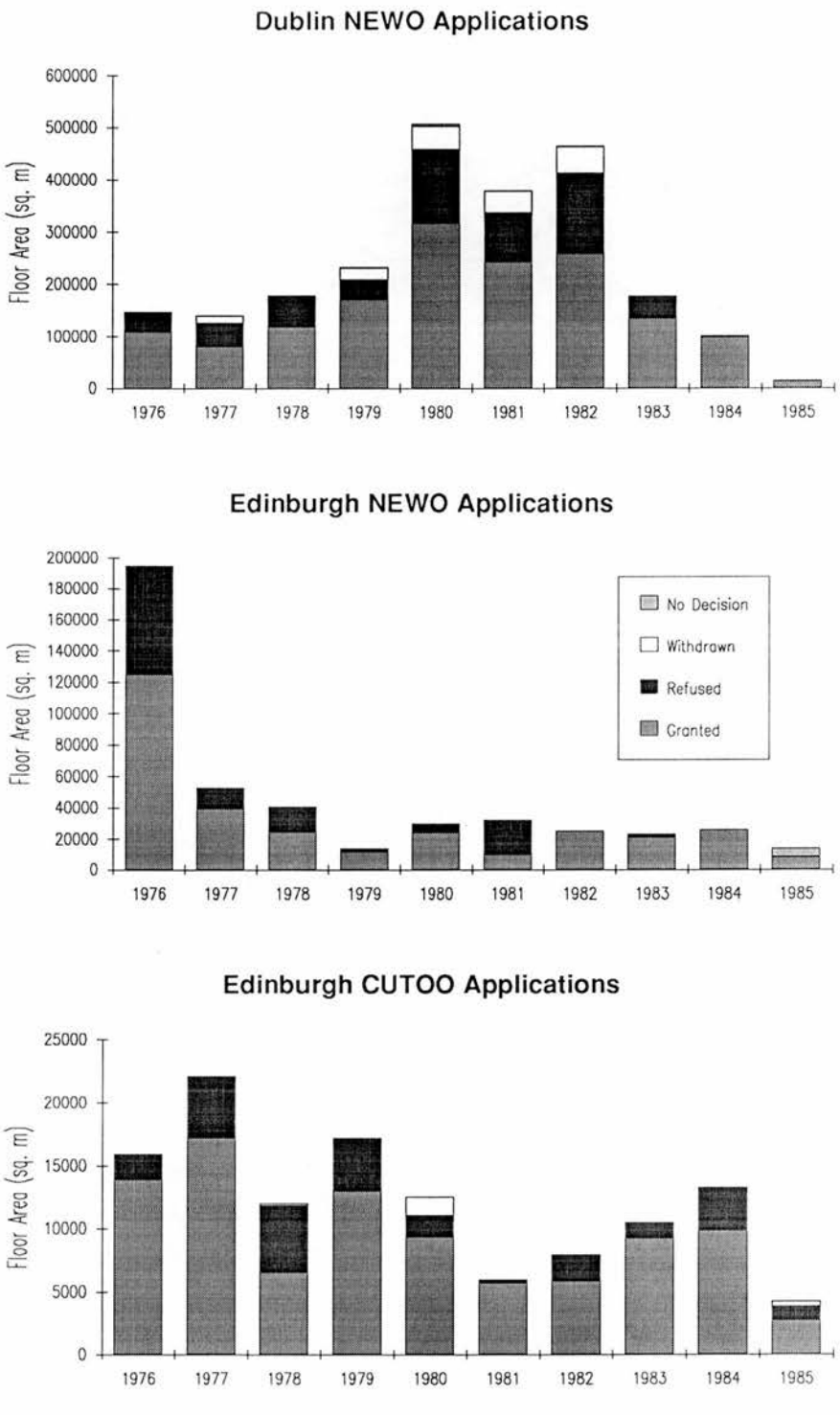
[16]Refer to Chapter 4 for a discussion of the limitations of the gross area data. In this chapter analysis of area data is limited to NEWO applications in Dublin, and NEWO and CUTOO applications in Edinburgh.

[17]It should be borne in mind that areas were not available for all NEWO applications. Data availability varied over time as follows:
1976 68 (74), 1977 85 (85), 1978 92 (68), 1979 93 (35), 1980 95 (76), 1981 97 (75), 1982 92 (75), 1983 87 (91), 1984 91 (61), 1985 67 (64).
The figures are the percentages of NEWO schemes with area data. The bracketed figures are for Edinburgh.

FIGURE 6.6

Decisions on Applications - By Gross Floor Area



The correlation for the proportion of withdrawn area against total area is r = 0.688 (significant at the 5 per cent level). In Dublin, therefore, the areal success rate rose towards the end of the period. This appears to be partly because the end of the period

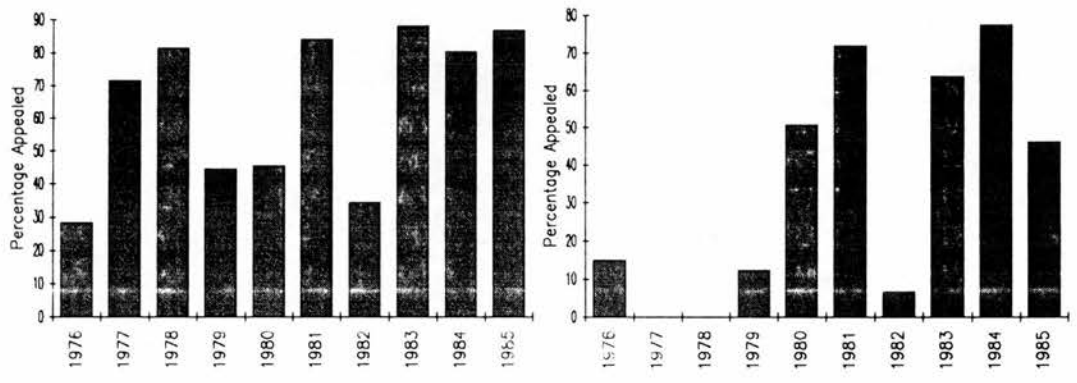
coincides with the low point of the cycle, and the other relationship indicates a strong negative correlation between the success rate and the total NEWO area. This negative relationship is rather stronger than the corresponding result based on numbers of applications (r = -0.629) obtained in section 3 of this chapter. The analysis also confirms that in Dublin withdrawals of proposed area rose as total proposed area increased, thus adding further evidence to support the assertion in Chapter 5 that in Dublin withdrawals were associated with the more speculative developments, and could be used as an indicator of the level of speculation in a type or period of application.

The situation in respect of the area of planning appeals is mixed. For NEWO applications in Edinburgh there were no successful appeals against a refusal of permission, and in fact no such appeals in six out of the ten years. It is difficult, therefore, to identify any relationship between the proportion of area in the granted and refused appeal decision categories and either the year, or the total NEWO area that was applied for. Correlation coefficients have been calculated which indicate weak relationships between the proportion of the total NEWO area subject to an appeal against a refused permission and the year (r = -0.170), and with the total NEWO area applied for in the year (r = 0.288). The former suggests a slight downward trend in the incidence of appeals, but given the sample size there is in effect no correlation. The latter is slightly stronger and suggests that the proportion of area subject to appeal tended to be higher in peak years, but it should be borne in mind that these schemes did not show a clear cyclical trend.[18] There were only two years in which there was no Edinburgh CUTOO floor area subject to an appeal, so it is possible to look for trends. There were weak or non-existent relationships between the year and the proportion of the area subject to an appeal which was granted (r = 0.192), and refused (r=-0.024). Substituting the total area of CUTOO applications for the year also gave weak relationships (r = 0.218 for the proportion of appeal area that was granted, and r = -.122 for the proportion of appeal area that was refused). These suggest that there was no clear trend in appeal decisions either over time or in relationship to the total area of CUTOO applications. The incidence of such appeals, measured as the percentage of total refused area in a year subject to appeal, did, however, show a clear rising trend over time as can be seen from the graph in Figure 6.7 (r = 0.684), and a falling trend as the total area of refused CUTOO applications rose (r = -0.64). The results show that although the incidence of CUTOO appeals rose

[18]Refer back to Figure 6.6.

over time, there was no corresponding trend in respect of decisions, in other words appeals were neither becoming easier nor harder.

FIGURE 6.7
Proportion of Refused Floor Area Subject to an Appeal



Trends can be more confidently established in Dublin given the substantially larger number of appeals. For the NEWO appeals against planning conditions only, the proportion of the total area involved which was granted showed a moderately strong rising trend over time (r = 0.606), but no relationship with the total area of NEWO applications (r = -0.014). The results for the proportion of such appeals which was withdrawn were a falling trend over time (r = -0.599) and no relationship with the total area of NEWO applications (r = 0.000). The more common appeals against a refusal of planning permission gave the following results: the proportion of the area of such appeals which was granted permission showed a weak to moderate rising trend over time (r = 0.298), and a weak negative correlation (r = -0.226) with the total NEWO area. These results are both weaker than those calculated previously for the numbers of appeals (the previous correlations being r = 0.422 and -0.512 respectively). The proportion of appeals against a refusal that was withdrawn exhibited a weak falling trend over time (r = -0.161), but a moderate correlation with the total NEWO area (r = 0.428). There was no clear link between the incidence of appeals against conditions and refusals taken together and the total NEWO area (r = -0.127). The graph in Figure 6.7 for the incidence of appeals, measured as the proportion of refused area subject to an appeal, shows a mixed pattern, but there is a moderate rising trend over time (r = 0.49) and a tendency for the incidence to be lower when refused areas are largest (r = -0.469). The latter finding is rather at

variance with that identified in relation to numbers of appeals against refusals of permission that showed the incidence to be highest during the boom periods.

The proportion of Third Party appeals against grants of planning permission that was granted (i.e. the permission was upheld) showed a relatively strong negative correlation with the total NEWO area (r = -0.762 with there being no such appeals in 1985). This means that such appeals were more likely to lead to a grant of permission being overturned in the peak periods. The incidence of Third Party appeals, however, showed a weak tendency to decline in the boom periods (r = -0.207 with total NEWO area).

TABLE 6.3
Post Appeal Planning Decision Areas - By Scheme

DUBLIN				
YEAR	TOTAL AREA APPLIED FOR (m^2)	% GRANTED BEFORE APPEAL	% GRANTED AFTER APPEAL	PERCENTAGE CHANGE
	NEWO	NEWO	NEWO	NEWO
1976	146,956	74.6	81	+8.6
1977	139,594	58.6	62.5	+6.6
1978	178,544	66.7	69.6	+4.8
1979	231,504	73.7	74.8	+1.5
1980	506,488	62.8	60.3	-4
1981	379,013	63.8	76.8	+20.4
1982	464,659	55.6	55.7	+0.2
1983	176,634	76.1	79.7	+4.7
1984	101,457	96.8	99.2	+2.5
1985	13,975	96.3	97.2	+1

EDINBURGH								
YEAR	TOTAL AREA APPLIED FOR (m^2)		% GRANTED BEFORE APPEAL		% GRANTED AFTER APPEAL		PERCENTAGE CHANGE	
	CUTOO	NEWO	CUTOO	NEWO	CUTOO	NEWO	CUTOO	NEWO
1976	15,951	194,429	87.4	64.3	87.4	N	-	N
1977	22,069	52,659	78	74.9	78	O	-	O
1978	12,002	40,515	55.4	61	55.4		-	
1979	17,168	13,987	71.6	85.7	76.9		+7.4	
1980	12,520	29,955	74.8	81.9	80.8	C	+8	C
1981	5,978	32,313	95.8	30.4	95.8	H	-	H
1982	7,861	24,951	73.8	100	75.5	A	+2.3	A
1983	10,503	23,224	88.1	91.4	89.6	N	+1.7	N
1984	13,304	25,850	74.3	100	94.2	G	+26.8	G
1985	4,270	13,807	64.8	56.9	64.8	E	-	E

Table 6.3 shows the final year by year results once the appeals have been fully taken into account.[19] The incorporation of appeals had a minimal effect in Edinburgh. The NEWO correlations were unaffected, while those for CUTOO areas changed slightly to 0.132 (from 0.072) for the relationship between the proportion of area granted planning permission and the year, and to 0.063 (from -0.182) for the relationship with the total CUTOO area. Thus post-appeal areas granted permission in Edinburgh continue to show no significant trend over time or link with the total areas in each year.

The correlation coefficients for Dublin NEWO schemes are also relatively unchanged after the appeals. The results continue to show a moderate rising trend in the proportion of area granted permission over time (r = 0.518 compared to 0.583), and a fairly strong tendency for the proportion of the area granted permission to fall in the peak periods (r = -0.734 compared to -0.715).

Figure 6.8 shows the planning decisions measured in terms of gross floor area reclassified according to the type of planning permission applied for.[20] Considering applications for full planning permission first, the Dublin cyclical pattern is clearly visible. The graph also confirms the higher proportions of both refused and withdrawn floor area in the peak periods. The correlation coefficients show a weak falling trend over time (r = -0.104) in the total area of full permission applications (reflecting the slump at the end of the period), a moderate rising pattern to the proportion granted planning permission over time (r = 0.5), and a moderately strong tendency for the proportion of space granted to fall as the total applied for during the year rose (r= -0.592). The latter result is also fairly evident from the graph showing the decision percentages. The Edinburgh graph shows a fairly steady fall in the total area of full permission applications, and also a decline in the proportion of area refused permission. The correlation coefficients reflect this, with a strong negative relationship between the total area and the year (r = -0.757), and a moderate positive correlation between the percentage of area granted planning permission and the year (r = 0.548). The graph of decision percentages does not show a clear pattern, but there is a weak tendency for the proportion granted permission to fall as the full permission total for the year rises (r = -0.327).

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[19]Both normal and Third Party appeals in the case of Dublin.

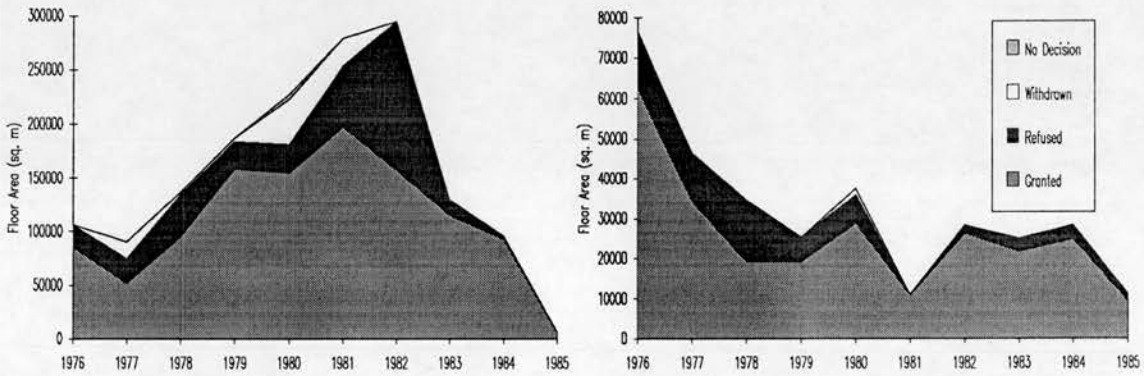
[20]Dublin data are for NEWO schemes only and those in Edinburgh for NEWO and CUTOO schemes.

FIGURE 6.8
Decisions on Applications - By Area and Type

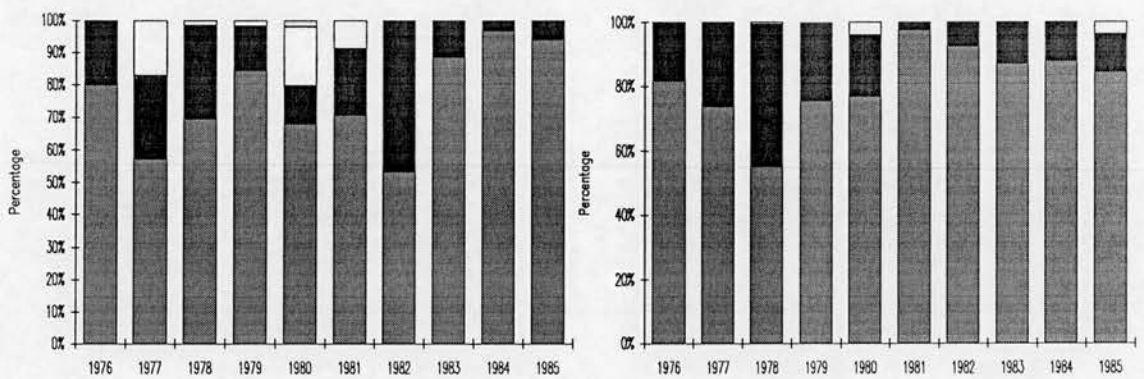
Dublin
(NEWO Only)

Edinburgh
(NEWO & CUTOO)

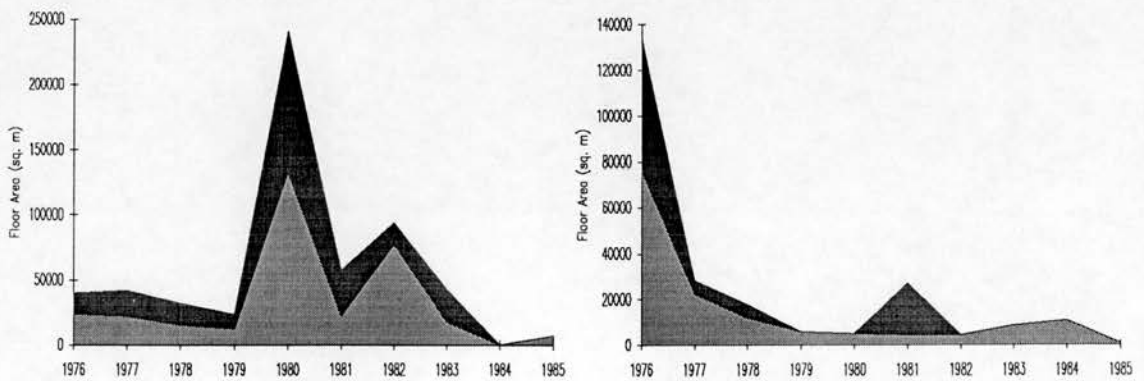
Full Permission Planning Decisions



Full Permission Planning Decision Percentages



Outline Permission Planning Decisions



The graph for Dublin outline permission applications shows a considerably greater amplitude than that for full permission proposals, confirming the point that outline applications tend to be for the more speculative developments that have a greater sensitivity to property market conditions. The very severe slump at the end of the period ensures that there is an overall downward trend over time (r = -0.131), but the true pattern is clearly wave shaped. There is a slightly stronger relationship between the percentage granted permission and the year (r = 0.331), but it is relatively weak. Unlike full permission applications, there is no tendency for the success rate to decline in the peak periods (r = -0.028). The area of Edinburgh outline planning applications fell steeply initially and thereafter continued at a fairly steady but low level, as can be seen in the figure. There is, therefore, a strong falling trend over time in the total area (r = -0.623). There are also moderate trends for the proportion granted permission to rise over time (r = 0.403) and to fall as the total area rises (r = -0.484).

TABLE 6.4

Post Appeal Planning Decision Areas - By Type of Permission

DUBLIN (NEWO ONLY)

YEAR	TOTAL AREA APPLIED FOR (m^2)		% GRANTED BEFORE APPEAL		% GRANTED AFTER APPEAL		PERCENTAGE CHANGE	
	FULL P	OP	FULL P	OP	FULL P	OP	FULL P	OP
1976	105,919	39,879	80.1	59.5	85.1	69.5	+6.2	+16.8
1977	90,153	41,702	57.3	53.6	63.4	53.6	+10.6	-
1978	136,560	32,220	69.6	47.5	71.6	53.4	+2.9	+12.4
1979	187,045	23,704	84.6	52.3	85.9	52.6	+1.5	+0.6
1980	227,045	241,114	68.1	54.9	73.6	55.2	+8.1	+0.5
1981	278,485	57,700	70.8	38.5	72.8	68.5	+2.8	+77.9
1982	294,863	94,036	53.3	82.6	53.5	82.4	+0.4	-0.2
1983	129,860	42,764	88.6	42.4	94.2	40.2	+6.3	-5.2
1984	95,594	521	96.9	46.3	99.1	100	+2.3	+116
1985	6647	7,328	94.1	98.2	94.1	100	-	+1.8

EDINBURGH (NEWO & CUTOO)

YEAR	TOTAL AREA APPLIED FOR (m^2)		% GRANTED BEFORE APPEAL		% GRANTED AFTER APPEAL		PERCENTAGE CHANGE	
	FULL P	OP	FULL P	OP	FULL P	OP	FULL P	OP
1976	76,630	133,750	81.7	57	81.7	N	-	N
1977	46,549	28,179	73.9	79.1	73.9	O	-	O
1978	34,649	17,868	55.3	67.4	55.3		-	
1979	25,283	5,872	75.6	100	76.4		+1.1	
1980	37,421	5,039	77.1	100	79.1	C	+2.6	C
1981	11,177	27,114	97.8	17.6	97.8	H	-	H
1982	28,422	4,490	92.7	100	93.1	A	+0.4	A
1983	24,969	8,758	87	100	87.6	N	+0.7	N
1984	28,279	10,875	87.9	100	97.3	G	+10.7	G
1985	11,354	1,023	84.5	100	84.5	E	-	E

Table 6.4 shows the final position after appeals in both cities for floor area classified according to the type of planning permission sought. As noted previously, appeals have had a much greater impact in Dublin. For full permission applications the result was a stronger negative correlation between the proportion granted and the total area applied for in the year than that above (r = -0.619), and the emergence of a similar weak trend in the case of outline applications (r = -0.288). Thus in the final event there is fairly strong evidence that Dublin full permission applications measured by area were less likely to be granted in the boom than otherwise, and weak evidence for a similar pattern for outline applications (but only because of appeal outcomes). It is worth noting the two years (1982 and 1983) where outline permission appeals actually resulted in an overall decline in the total area granted planning permission. In 1982 a Third Party appeal successfully overturned a grant of planning permission, while in 1983 an appeal by a developer against the conditions of a grant actually resulted in An Bord Pleanála overturning the grant. Neither of these situations was common, though. The small impact of Edinburgh appeals on full permission areas meant that the correlation between the proportion granted and the total area remained almost unchanged at r = -0.323. There were no successful outline permission appeals in Edinburgh.

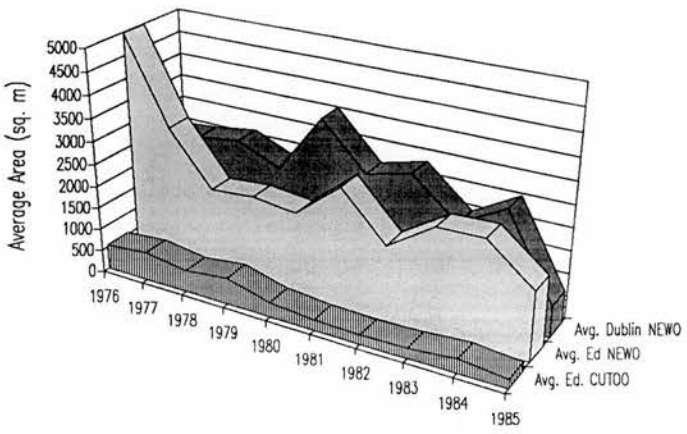
5 THE AVERAGE SIZE OF OFFICE DEVELOPMENTS

The gross floor areas of office development planning applications have already been considered, but it is also of interest to analyse the average sizes.[21] Figure 6.9 contains a number of graphs of average floor area per application. The upper graph illustrates the overall comparison between Dublin and Edinburgh. The pattern for Dublin NEWO schemes only partially reflects the pattern of the development cycle with a small rise in the boom and fall thereafter. The relationship of mean size with the total NEWO area is strong, nonetheless, with r = 0.741. The fall in the average in the latter period means that there is also a falling trend over time (r = -0.467), but the relationship is only of moderate strength. The average size of Edinburgh NEWO schemes exhibits an initial steep drop, and is thereafter fairly constant. This gives a very strong relationship of mean size with the total NEWO area of r = 0.93. It also means that there is a falling trend over time with a moderately strong relationship of r = -0.626. Edinburgh CUTOO applications exhibit a slow but steady decline over time in the average size (r = -0.849), and, like NEWO schemes, a strong relationship

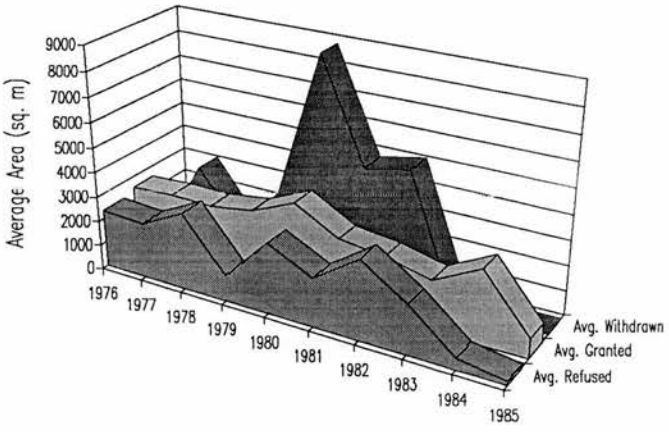
[21] It should be borne in mind that the size distributions tend to be more negatively skewed, rather than normal, i.e. with a few very large applications and a large number of smaller ones.

FIGURE 6.9
Average Office Development Size - By Scheme Type

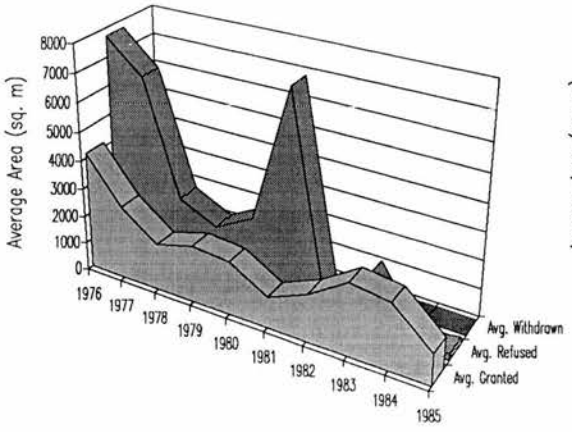
Dublin NEWO, Edinburgh NEWO & CUTOO



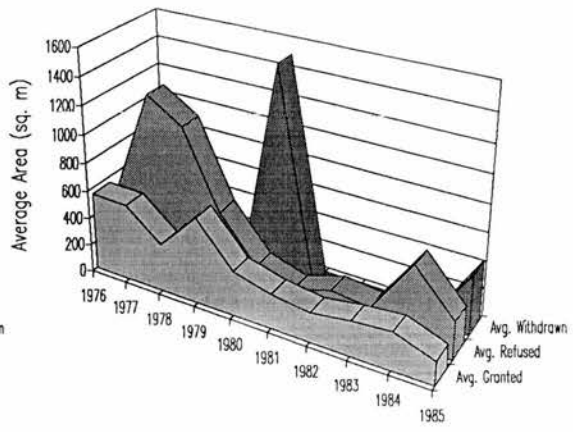
Dublin NEWO Averages by Decision



Edinburgh NEWO Averages by Decision



Edinburgh CUTOO Averages by Decision



between the average and the total CUTOO area (r = 0.9).

The lower three diagrams in Figure 6.9 show the average sizes for each type of decision. For Dublin NEWO applications there are clearly differences in average scheme sizes over time among the three decision types. This is most noticeable for the withdrawn planning applications which reach a maximum size during the development boom, giving a strong correlation with the total NEWO area (r = 0.903). The average sizes of granted and refused schemes are more similar, but with the latter typically slightly smaller. Although the cyclical pattern is less marked, there are moderately strong correlations between the average sizes and the total NEWO area (r = 0.598 and 0.648 respectively). The average size of both granted and refused planning applications declines over time (r = -0.466 and -0.547 respectively), reflecting primarily the effect of the post 1982 slump. It has been previously concluded that the withdrawn applications could be considered the most speculative, and this provides further evidence since their average size is also the most sensitive to the development cycle.

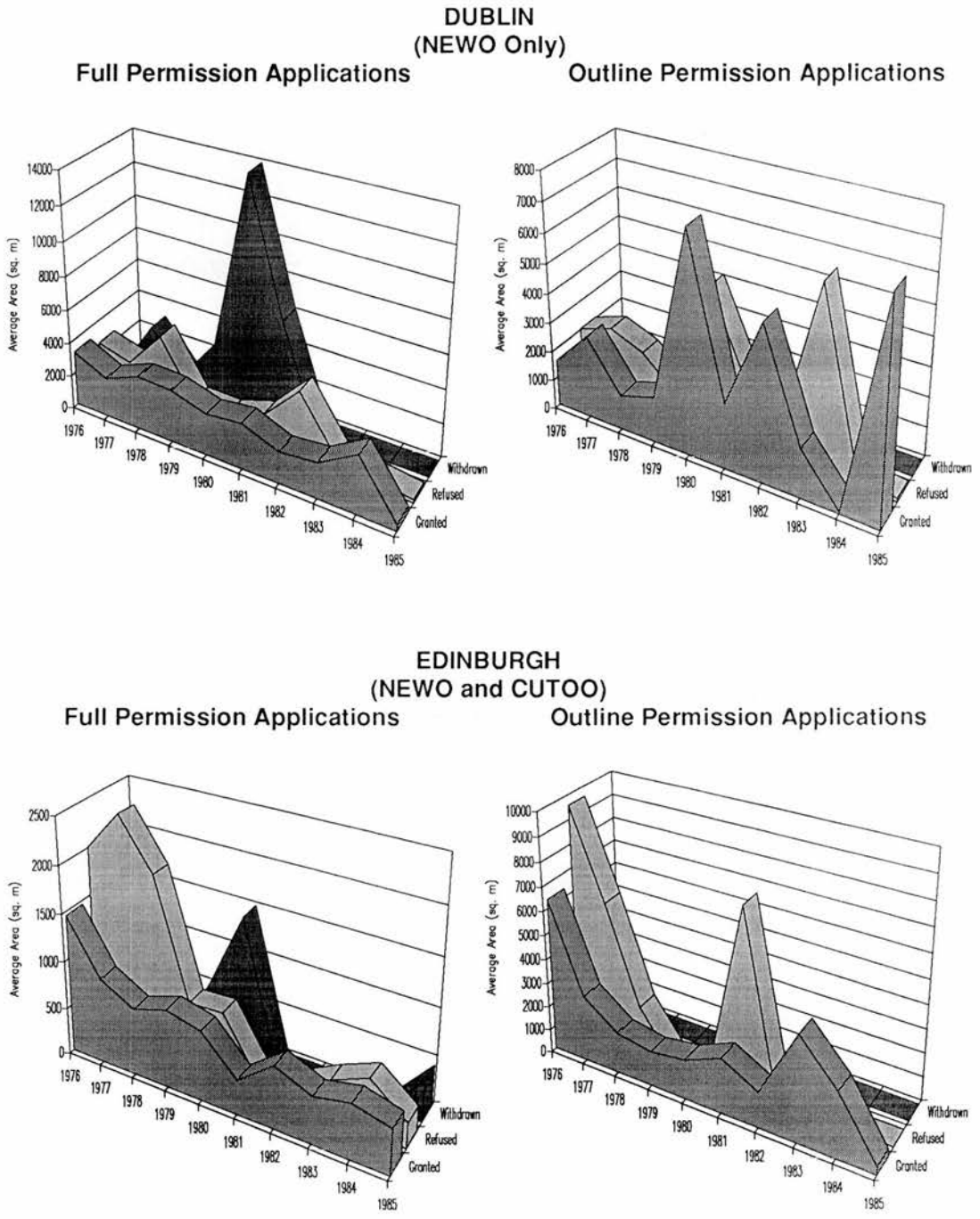
In Edinburgh for NEWO applications, the refused schemes were substantially the largest up to 1982, but thereafter fell away sharply. The average size of granted NEWO applications was strongly correlated with the total NEWO area (r = 0.845), and the refused applications average was moderately strongly correlated (r = 0.639). The average sizes of both granted and refused applications fell over time (r = -0.57 and -0.712 respectively), reflecting the overall NEWO trend.[22] Edinburgh CUTOO also exhibit declining average sizes over time for both granted and refused applications (r = -0.817 and -0.583 respectively), and again are strongly correlated with the total CUTOO area applied for in each year (r = 0.876 and 0.710 respectively).

Figure 6.10 shows the average size of planning applications calculated for each type of planning permission, and subdivided according to the decision.[23] In Dublin, applications for outline planning permission show the greatest variability in average size, although the very high peak for withdrawn full permission applications is noteworthy. Both granted and refused outline permission averages are moderately correlated with the total area of outline planning applications (r = 0.609 and r = 0.561

[22]The correlation, though, reflects the high initial and low final averages without being much affected by the 1981 peak.

[23]The type of permission applied for was unavailable for many withdrawn planning applications, hence the mostly zero average sizes for this category. See Chapter 4

FIGURE 6.10
Average Office Development Size - By Type of Permission and Decision



respectively). It should be noted that in 1985 there was only one outline application granted permission, so the final peak in the graph may be inconsistent with the longer term trend. Given the shape of the graph, it is not surprising that there are no strong linear trends over time for either granted or refused average sizes (r = 0.282 and r = -0.115 respectively). Both granted and refused full permission application's average

sizes are weakly to moderately correlated with the total full permission area (r = 0.26 and r = 0.411 respectively).

There is less difference between the patterns for Edinburgh outline and full permission average areas. In the case of applications for outline permission both the granted and refused averages show downward trends over time (r = -0.434 and r = -0.64 respectively), as is also true for full permission applications (with strong correlations of r = -0.78 and r = -0.826). The averages for both granted and refused applications for both types of permission were all strongly correlated with total area being applied for during the year (r = 0.817 and r = 0.815 respectively for outline applications, and r = 0.949 and r = 0.767 respectively for full permission ones).

The conclusion that may be drawn is that in Dublin the size of outline planning applications tends to be relatively strongly related to the stage of the development cycle, whereas this is much less the case for full permission applications. Both full and outline permission applications in Edinburgh also show strong correlations with the total area. The real effects, though, are quite different since Edinburgh did not experience the sharp cyclical upswing and subsequent downturn in the development cycle that occurred in Dublin. On balance, therefore, outline applications can be characterised as likely to have been more speculative than full permission applications, and those in Dublin to have been more so than those in Edinburgh.

6 DECISION PERIODS ON OFFICE PLANNING APPLICATIONS

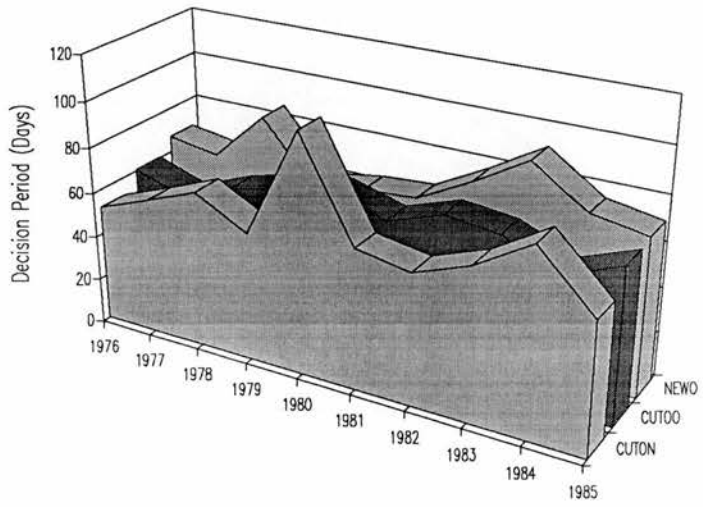
The final topic for analysis in respect of temporal patterns is the length of time taken to determine the decision on planning applications. Much of the criticism of the UK planning system has been directed at delays in making decisions, so it might be anticipated that government action and pressure on the DPA would have resulted in a gradual reduction in the time taken.[24]

Figure 6.11 shows the average length of the decision period in both cities for NEWO, CUTOO and, for comparison, CUTON schemes.[25] Dublin consistently exhibits shorter decision periods for NEWO applications than Edinburgh, but this is not true of the other two categories. In fact the difference between NEWO and other types of

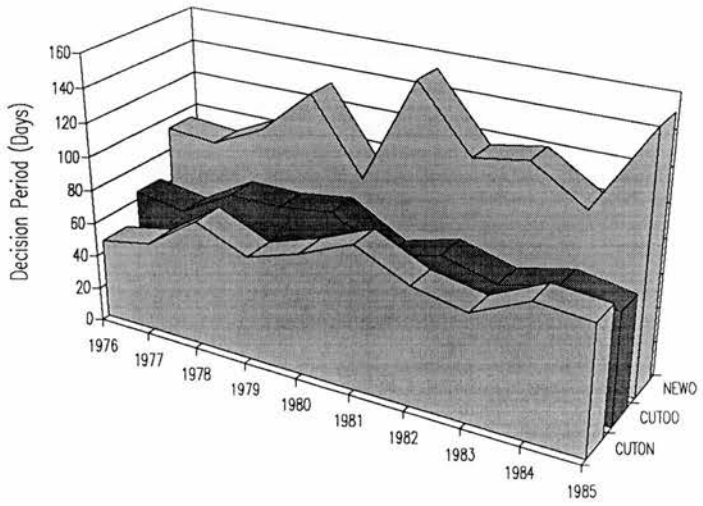
[24]See Chapter 1 for a discussion of the background, and Chapter 3 for details of the legislation.
[25]The calculations for Dublin exclude applications affected by the Housing Acts, as these were subject to lengthy delays resulting in a disproportionate effect on the averages. The decision periods on Housing Act cases (mostly CUTOO) show a progressive decline upto 1985 when the acts ceased to apply to these applications.

FIGURE 6.11
Average Decision Periods - By Type of Scheme

DUBLIN
(Excluding Cases Affected by the Housing Acts)



EDINBURGH



scheme in Edinburgh is very marked in the diagram. Contrary to the expectation expressed above, the average decision period for NEWO Edinburgh schemes has risen over time (r = 0.517), as has that for CUTON schemes (r = 0.659). CUTOO schemes showed virtually no change, and thus the decision period was not correlated with the year (r = -0.031). Despite the statutory two month decision period in Dublin, some variation in the averages is apparent, as is a slight rising trend for CUTOO applications (r = 0.487), and slightly less obviously for NEWO applications (r =

0.332). It might be thought that applications would take the longest to process when the DPA/LPA were busiest, but the results are rather mixed. In Edinburgh there is a moderate negative correlation between NEWO decision periods and the number of NEWO applications (r = -0.481), which is contrary to the expected relationship. There was a moderate positive correlation for CUTON schemes (r = 0.497), and no correlation for CUTOO schemes (r = 0.097). There is also a mixed pattern in Dublin with a very weak negative correlation of NEWO schemes (r = -0.104), very weak positive correlation for CUTON schemes (r = 0.181), and moderate positive correlation for CUTOO schemes (r = 0.556).

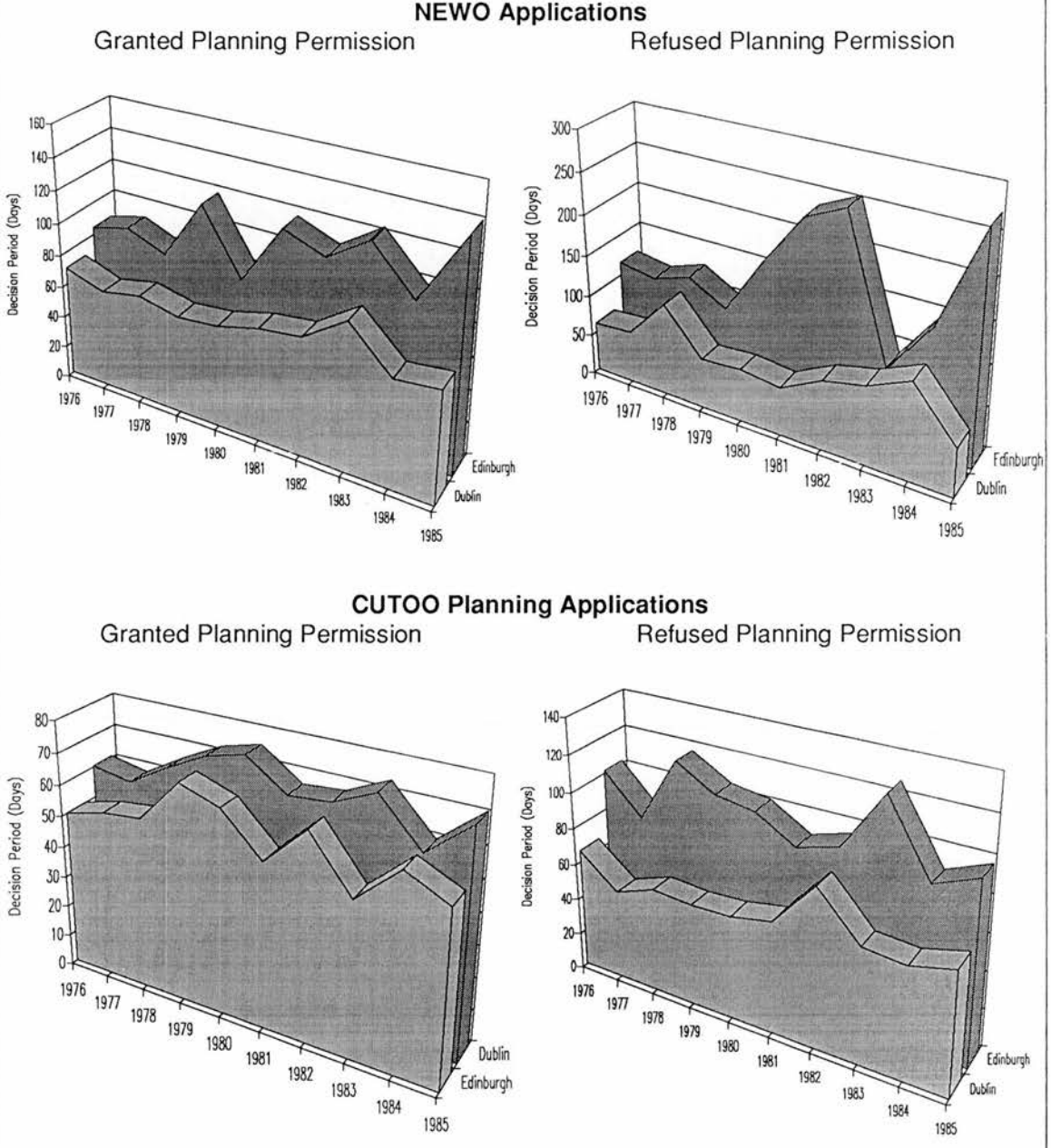
The legislative framework in Dublin does not permit, at least in theory, any extension of the decision period, so the absence of any clear correlation between the number of applications and the length of the decision period is not too surprising. Attention should be drawn, however, to the NEWO peak in 1983 in the Dublin graph in Figure 6.11. Although insufficient to influence the correlation, it is considered that this is an instance of overload at the LPA slowing down decisions. The introduction of fees in March that year brought a rush of 90 office related applications on the two days before, compared to the more usual one or two per day.[26] The lengthening average decision period in Edinburgh, particularly for NEWO schemes, is a surprise, and perhaps indicates a progressively more thorough assessment of applications, perhaps through wider consultations and more detailed negotiation with the applicants over design and architectural details.

Figure 6.12 shows the average decision periods for NEWO and CUTOO schemes for Dublin and Edinburgh by type of scheme and decision. It can be seen that decisions consistently took longer in Edinburgh for all except applications for CUTOO which were granted permission. As was noted in Chapter 5, those whose applications were to be refused permission in Edinburgh were given an opportunity to make representations, hence the lengthier decision periods for refused as opposed to granted applications (note that the scales vary from graph to graph).

Considering NEWO schemes first, the diagram indicates an upward trend in the average decision period for applications granted planning permission in Edinburgh, giving a moderately strong relationship with the year of r = 0.677. The decision periods are also quite strongly negatively correlated with the total number of NEWO applications (r = -0.702), i.e. NEWO grants take longer in quieter periods. The

[26]See Chapter 3 for the legislative details.

FIGURE 6.12
Average Decision Periods - By Type of Scheme and Decision



Dublin data excludes cases affected by the Housing Acts.

pattern for refused applications is more variable, since the smaller numbers give individual cases greater weight, but the trend is still towards lengthier decision periods over time. Dublin granted permission cases exhibit little upward trend in the length of decision period giving only a moderate to weak relationship with the year ($r = 0.397$), and little relationship with the total number of NEWO applications ($r = 0.149$). The refused applications also do not show a particular trend or pattern. For the CUTOO schemes Dublin decisions take slightly longer. In neither city is there

much trend over time, so there is only a moderately weak positive correlation with the year in Dublin (r = 0.358), and virtually no relationship in Edinburgh (r = 0.078). There is also little correlation between the decision periods for granted applications and the total number of CUTOO schemes (r = 0.23 in Dublin and 0.071 in Edinburgh).

FIGURE 6.13
Average Decision Periods - By Type of Permission

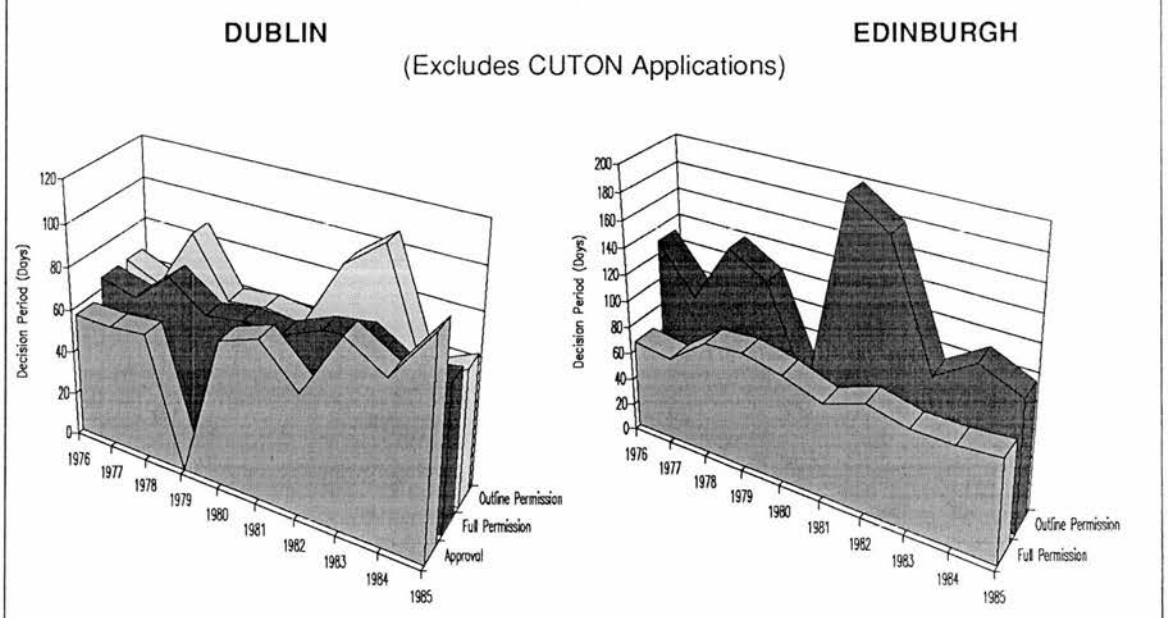


Figure 6.13 is the final diagram in this section, and shows the average decision periods for each type of permission for all office applications excluding the CUTON category. Full Permission decision periods are fairly constant in both cities, and typically only slightly longer in Edinburgh. Leaving aside Dublin approval permission, the variation is concentrated in the outline permission category, which is consistent with this category containing the larger, more speculative developments. These could be expected to require longer examination by the planners.

Turning to the details, there were no clear trends over time for either outline or full permission applications, with weak correlations all round (Dublin OP r = 0.15, FP r = 0.269, Edinburgh OP r = -0.041, FP r = -0.219). Equally there were only weak to moderate correlations with the total number of applications in the category. These were r = 0.37 for Dublin outline planning permission applications, r = 0.3 for full planning permission applications, r = 0.064 for Edinburgh outline permission applications and r = -0.25 for full permission applications. Although not a strong

correlation, it is interesting that the strongest positive relationship was for the outline permission class in Dublin, which previous results have suggested contained many of the larger and more speculative applications. The longest average outline permission decisions in Dublin were in 1983, and as previously noted that year featured a sudden rush to beat the introduction of fees. This again suggests that, notwithstanding the statutory provisions, unusually busy periods in Dublin could lead to delays.

Conclusions in respect of the detailed results of the analysis of temporal patterns of office development applications will be drawn in the following chapter, after the spatial patterns have been investigated.

THE SPATIAL PATTERN OF OFFICE DEVELOPMENT APPLICATIONS:

In both Chapter 5 and the first part of the present chapter, the analysis has been based on a comparison of the two complete datasets. The possibility that there might also be distinctive, and different, spatial patterns of intra-urban office development in Edinburgh and Dublin has thus been neglected so far. The following section is intended to provide the intra-urban spatial analysis of applications for office planning permission, and to identify the similarities and differences between the two cities in these respects. The analysis is presented at two scales in most cases, one of which covers the cities as a whole at a general level based on mapping applications located within 1 kilometre by 1 kilometre National Grid[1] squares, and the second mapping the individual site locations of planning applications within the central city areas.[2]

1 THE LOCATIONS OF OFFICE PLANNING APPLICATIONS

Maps 6.1 to 6.4 show the locations of office related planning applications for central Edinburgh and Dublin and for the whole of Edinburgh District and Dublin Borough. It is relevant to note at this point that Edinburgh District extends over almost the entire area depicted in Map 6.3 apart from a small area to the south-east. Dublin Borough, on the other hand, stops short of the map edge for most of the area in Map 6.4, especially to the south and south-east. In administrative terms Edinburgh is thus mostly over-bounded since the built up area of the city is smaller than the administrative area. Dublin, though, is mostly under-bounded since substantial areas of the southern and south-eastern suburbs (such as Dun Laoghaire) lie outside the Borough. Since the data was not collected for the areas of Dublin outside the Borough limits, these areas of the city wide maps will not show any office planning applications. It must also be borne in mind that the linkage between the planning applications and their spatial manifestation is complex, since one application can relate to many sites, and many applications to one site. The maps for the central cities thus show the numbers of applications affecting particular sites, whereas those for the cities as a whole are shaded to reflect the numbers of planning applications located in each grid square.

---

[1]The Irish National Grid in the case of Dublin and the Great Britain National Grid in the case of Edinburgh.

[2]As were defined in Chapter 4.

There are two striking contrasts between Maps 6.1 and 6.2, these being the higher density of sites affected in central Dublin, and the larger number of Dublin sites subject to multiple applications. The former is borne out by the fact that there were 1.8 applications per hectare in central Dublin compared to 1.07 in Edinburgh. It is also evident that the physical extent of the core office area is considerably larger in Dublin, but this is simply in keeping with the difference in population size between the two cities.[3] For the cities as a whole (Maps 6.3 and 6.4), there is clearly a greater relative concentration of office planning applications in Dublin than in Edinburgh. The former has a single zone with 10 cells recording over 50 applications per square kilometre. In addition to the central area, Edinburgh has two small suburban peaks (over 20 applications per cell), at South Gyle to the west and Portobello to the east, as well as an arm of high applications extending from the city centre to the harbour at Leith. To some extent this is a product of the more spatially constrained data collection in Dublin, since there is one known suburban area of office development (Malone, 1985; McDonald, 1985) around the port of Dun Laoghaire, but this is outside Dublin Borough. It is considered, though, that it is also a real difference between the two and partly a reflection of the different planning policies in force. Edinburgh had a clear policy to encourage outer suburban office development at certain designated sites, including South Gyle, and to restrain new development in the city centre. Dublin, on the other hand, sought to encourage office development in the centre and to restrict office encroachment on suburban (residential) areas. The under-bounding of Dublin and the importance of commercial rate income to the council, also worked to ensure that the planners did not encourage decentralisation.

The differences may be quantified using the central area/non-central area distinction (see Chapter 4), but bearing in mind that both the administrative boundaries of the cities and the central areas defined for the present study are arbitrary and not necessarily fully coincident with either the urban area or the Central Business District. In Edinburgh 47.2 per cent of all office related planning applications were located in the city centre versus 62.3 per cent in Dublin. The difference is probably sufficiently large as to overcome the qualifications attached to the spatial units given above.

No maps of planning appeals are presented at this stage, but the proportion located in the central city was 62.7 per cent for Edinburgh and 59.9 per cent for Dublin. As appeals are closely related to the incidence of refusals of permission, this result will be discussed in the section on the spatial location of decisions.

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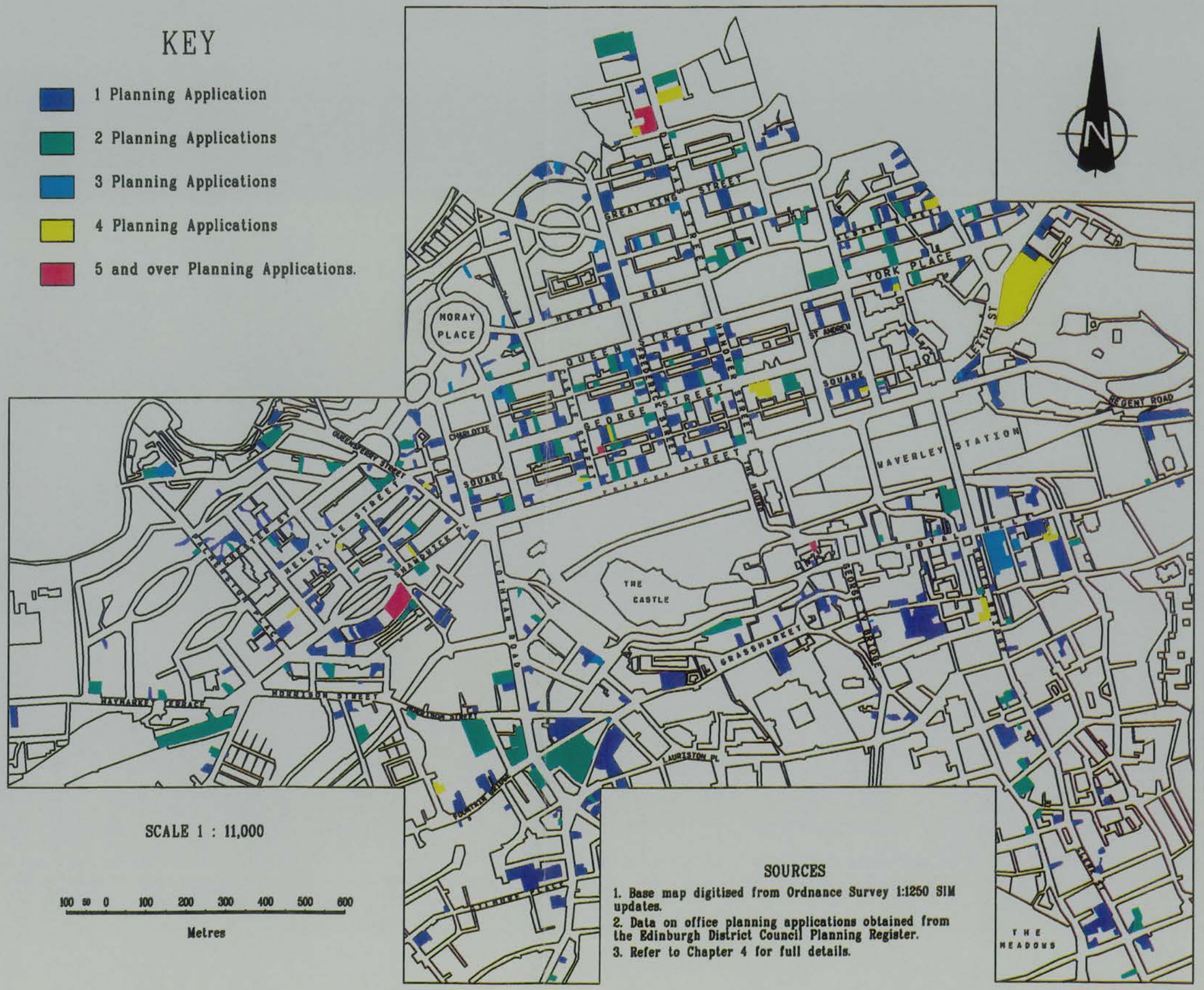
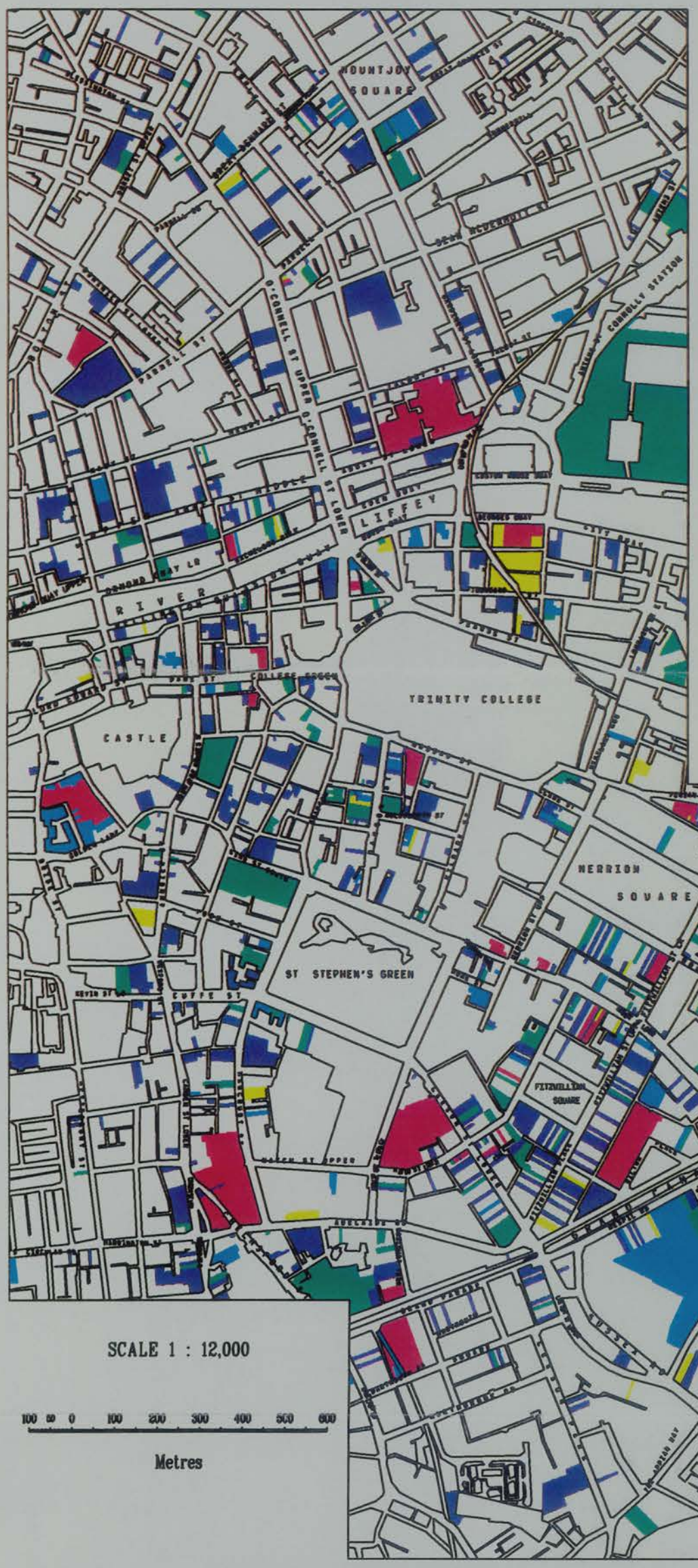
[3]Note that the maps are not at the same scale, since they are drawn to best fit the size of paper.

MAP 6.1: Locations of Central Edinburgh Office Planning Applications (inc CUTON)



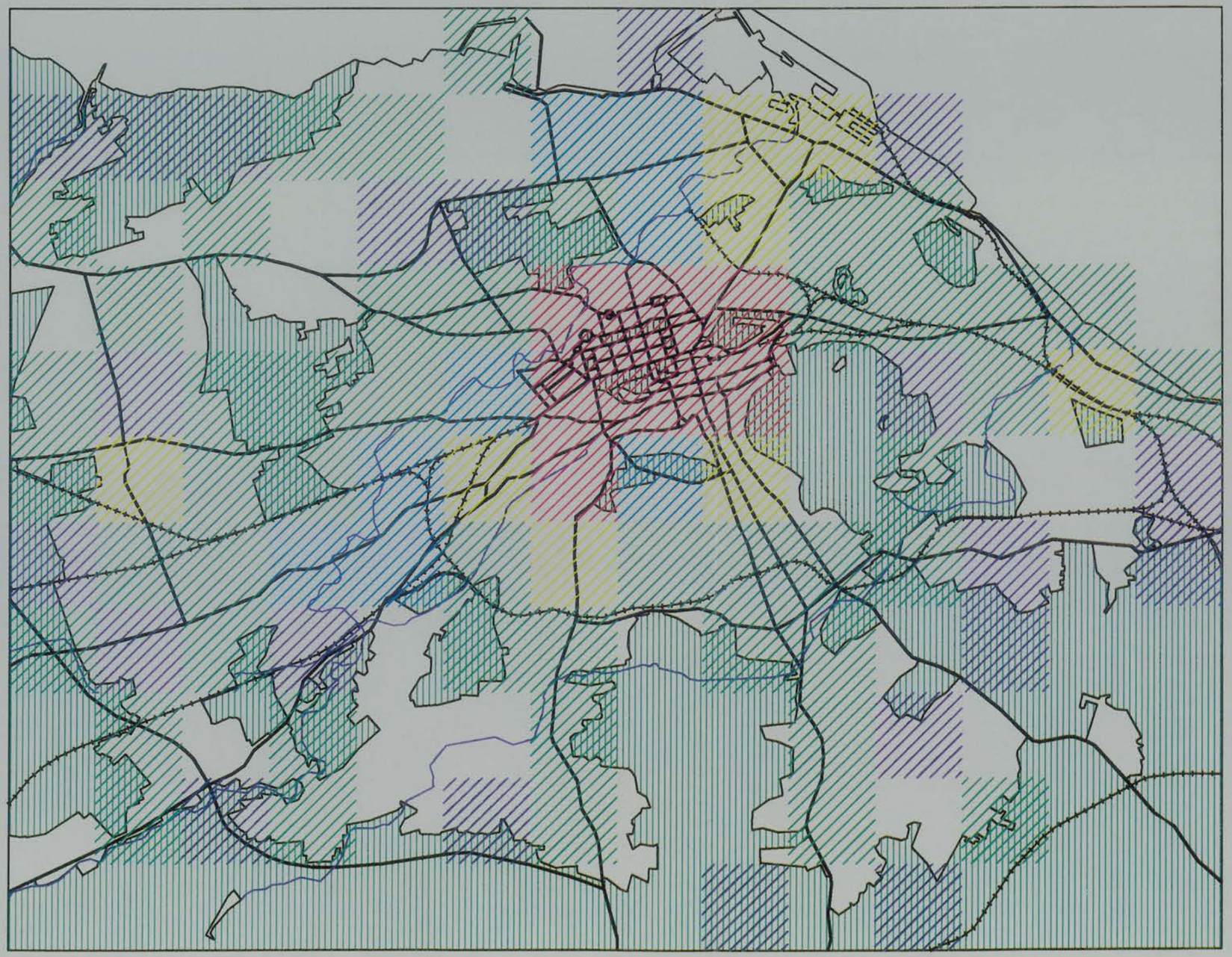
Compiled by Tim Rideout on Arc/Info – Oracle, Department of Geography, University of Edinburgh.

MAP 6.2: Locations of Central Dublin Office Planning Applications (inc CUTON)



Sources: 1. Base Map digitised from 1:1,000 scale Ordnance Survey of Ireland maps. 2. Planning data from Dublin Corporation Register. 3. See Chapter 4 for full details.
Compiled by Tim Rideout on Arc/Info – Oracle, Department of Geography, Univ. of Edinburgh.

MAP 6.3: Locations of Office Planning Applications in Edinburgh (inc CUTON)



SCALE 1 : 55,000

1 1/2 0 1 2

Kilometres

KEY

- 1 Planning Application
- 2 to 10 Planning Applications
- 11 to 20 Planning Applications
- 21 to 50 Planning Applications
- Over 50 Planning Applications.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.4: Locations of Office Planning Applications in Dublin (inc CUTON)

SCALE 1 : 70,000

Kilometres

KEY

- 1 Planning Application
- 2 to 10 Planning Applications
- 11 to 20 Planning Applications
- 21 to 50 Planning Applications
- Over 50 Planning Applications.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

The differences can be seen in more detail in Maps 6.5 to 6.8 in which the planning applications have been classified according to the type of scheme proposed (NEWO, etc.). Given that the study period is relatively short in comparison to the life cycle of a property development, the classes are relatively mutually exclusive. In other words, it was rare for a site subject to a NEWO planning application to be also the location of, for example, a CUTOO proposal, but there are a few cases included in the central area maps.

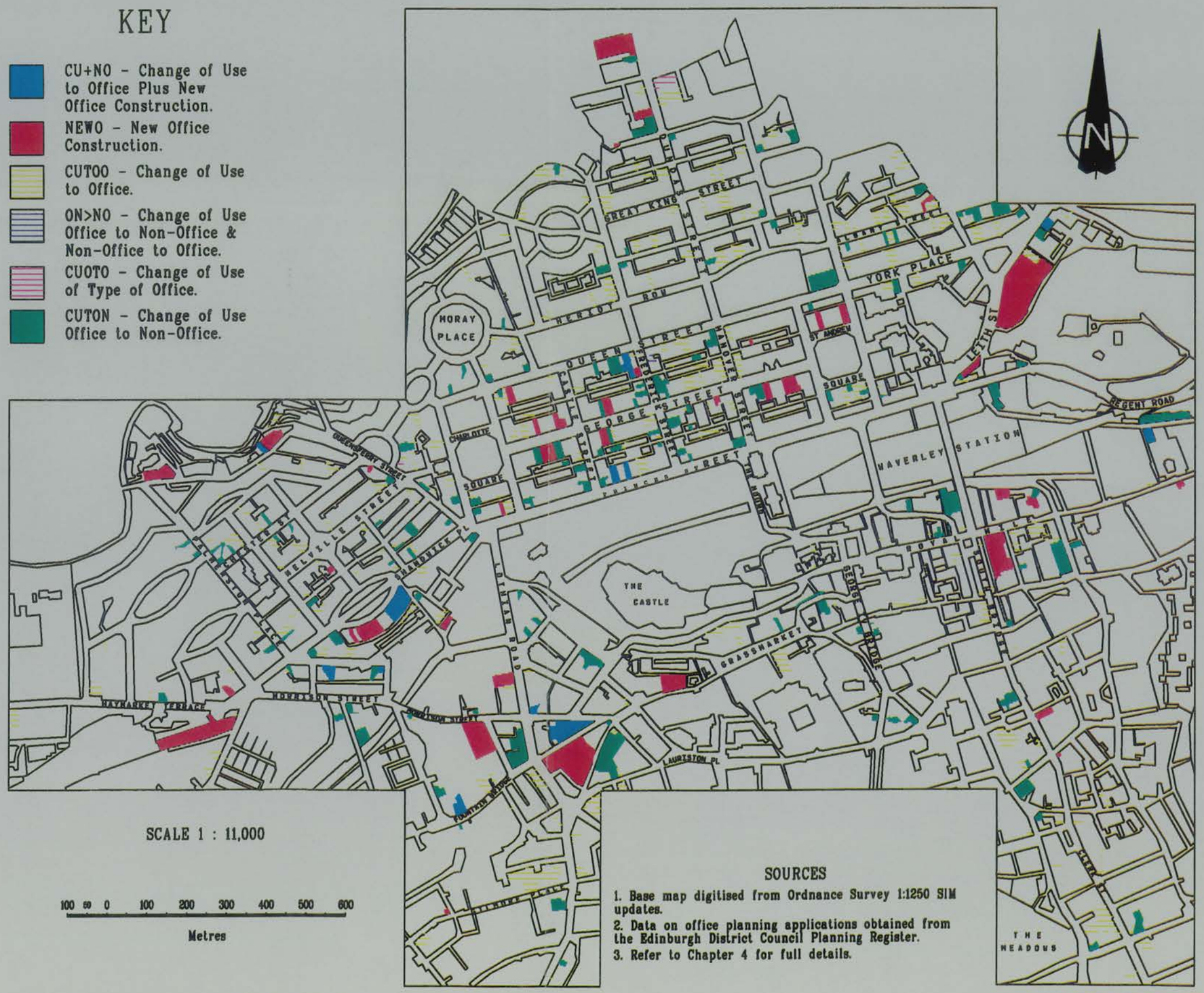
Taking the city centres first (Maps 6.5 and 6.6), it is obvious that a much larger portion of Dublin was subject to NEWO applications, especially south and south-east of the River Liffey, than was the case in Edinburgh. The large NEWO sites common in Dublin are particularly limited in number in central Edinburgh. Those that do occur are, for the most part, related to several long-standing gap sites (such as at Leith St), or semi-derelict former industrial premises (such as at the north end of Dundas St). Most Dublin NEWO sites had existing, mainly residential, buildings on them (see McDonald, 1985). Quite large areas of the Edinburgh New Town (especially around Melville Street and north of Queen Street) are virtually only subject to either CUTOO or CUTON applications, reflecting their status as both Conservation Areas and mostly Listed Buildings. There are no areas of central Dublin left untouched by NEWO applications, even in the prime Georgian Conservation Area around Merrion and Fitzwilliam Squares. There is a clustering of CUTOO applications in this area, but mixed in with many NEWO sites. Overall, central Dublin had five times the density of NEWO applications as Edinburgh (1.01 versus 0.19 per hectare), but a slightly lower density of CUTOO applications (0.74 versus 0.84 per hectare).

Maps 6.7 and 6.8 make use of proportional circles to depict the classification of the total number of planning applications in each grid square. The circles themselves are proportional in size to the total number of applications, but this is only intended to give a rough guide to the density since the scales used differ between Edinburgh and Dublin. These maps reflect the substantially greater importance of NEWO applications in Dublin, with the majority of grid squares having 25 to 50 per cent NEWO applications. Edinburgh rarely exceeds 25 per cent and not at all in the core of the city. The reverse is almost true for CUTON applications. Many Edinburgh grid squares have a noticeably higher proportion of CUTOO applications than is normally the case in Dublin, but the differences for this class are much less.

MAP 6.5: Locations of Office Planning Applications Classified by Type of Scheme

KEY

- CU+NO - Change of Use to Office Plus New Office Construction.
- NEWO - New Office Construction.
- CUTOO - Change of Use to Office.
- ON>NO - Change of Use Office to Non-Office & Non-Office to Office.
- CUOTO - Change of Use of Type of Office.
- CUTON - Change of Use Office to Non-Office.



SCALE 1 : 11,000

100 50 0 100 200 300 400 500 600

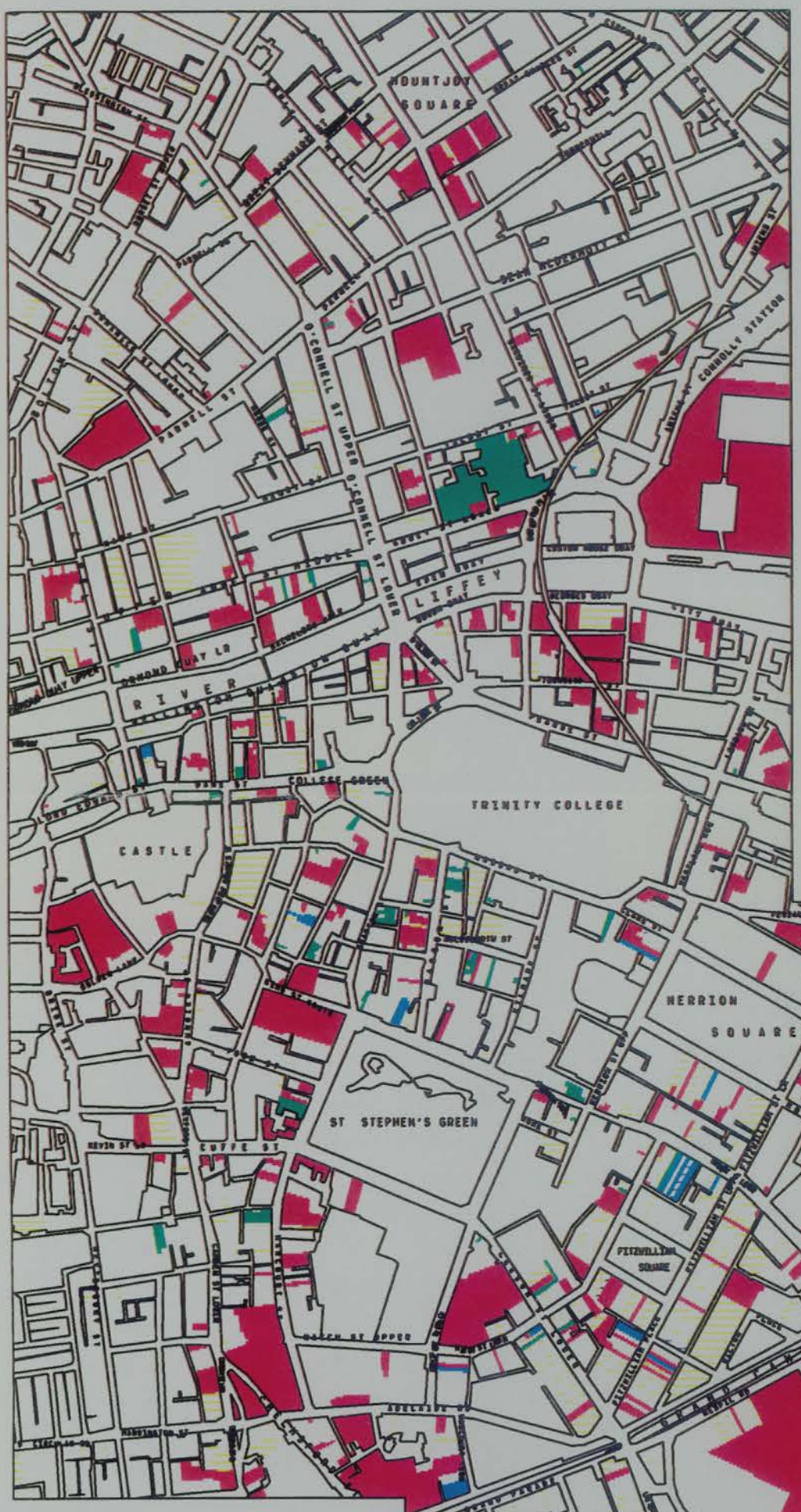
Metres

SOURCES

1. Base map digitised from Ordnance Survey 1:1250 SIM updates.
2. Data on office planning applications obtained from the Edinburgh District Council Planning Register.
3. Refer to Chapter 4 for full details.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.6: Locations of Office Planning Applications Classified by Scheme Type



KEY

- CU+NO – Change of Use to Office Plus New Office Construction.
- NEWO – New Office Construction.
- CUTOO – Change of Use to Office.
- ON>NO – Change of Use Office to Non-Office & Non-Office to Office.
- CUOTO – Change of Use of Type of Office.
- CUTON – Change of Use Office to Non-Office.

SCALE 1 : 12,000

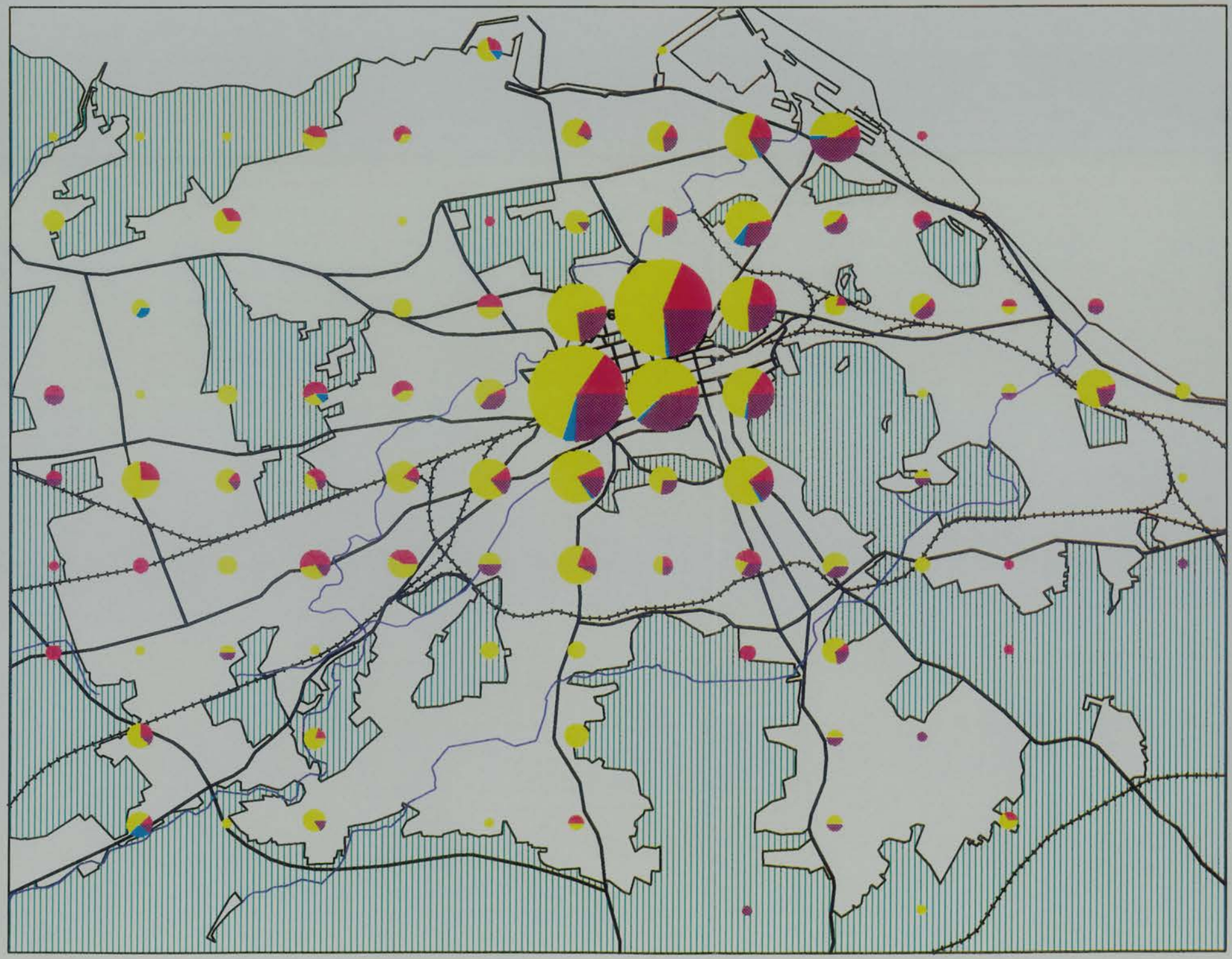
100 00 0 100 200 300 400 500 600

Metres

N

Sources: 1. Base Map digitised from 1:1,000 scale Ordnance Survey of Ireland maps. 2. Planning data from Dublin Corporation Register. 3. See Chapter 4 for full details.
Compiled by Tim Rideout on Arc/Info – Oracle, Department of Geography, Univ. of Edinburgh.

MAP 6.7: Locations of Planning Applications in Edinburgh Classified by Type of Scheme



SCALE 1 : 55,000

1 1/2 0 1 2

Kilometres

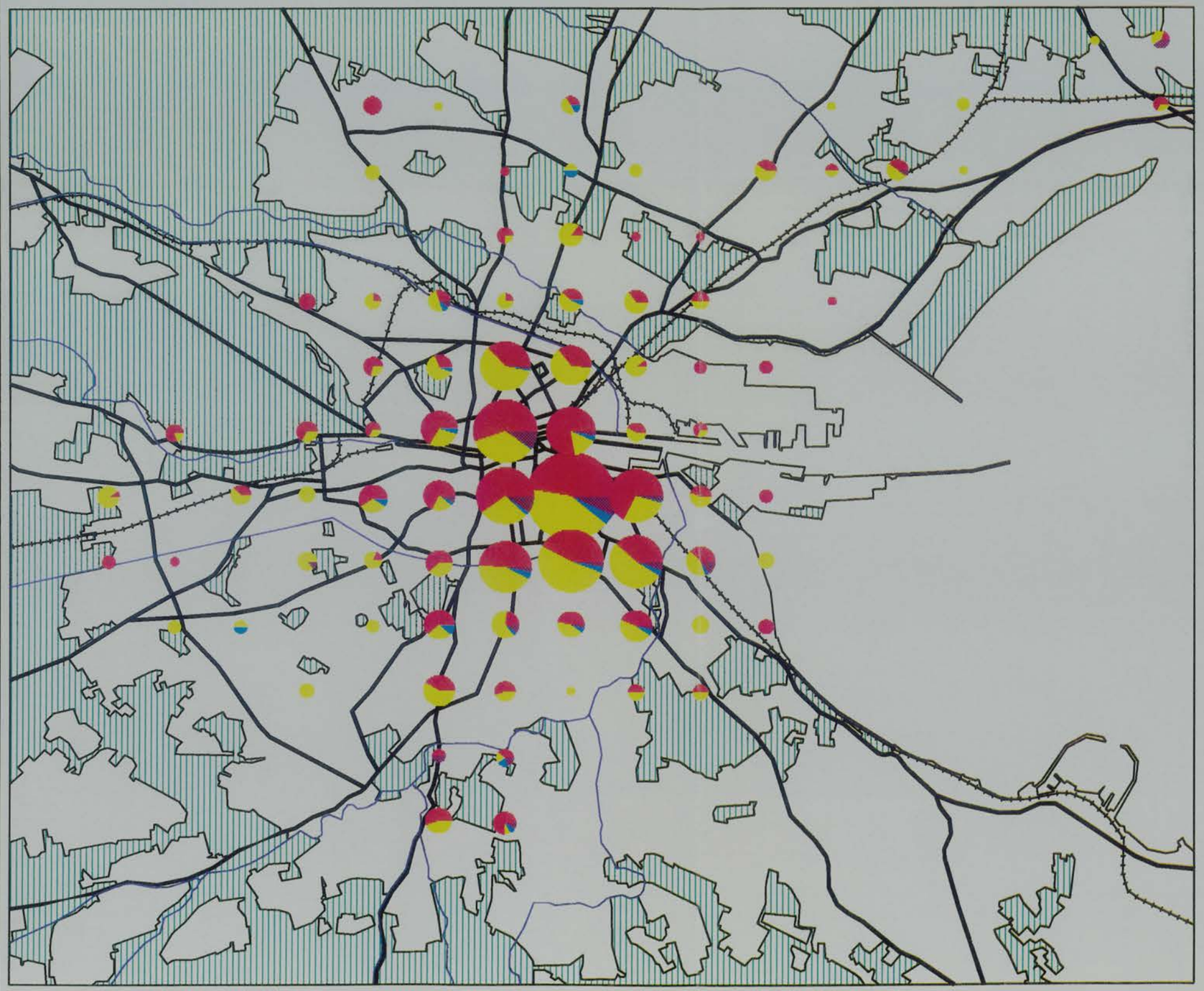
KEY

- NEWO - New Office Construction.
- CUTOO - Change of Use to Office.
- Other Office Development (CU+NO, ON>NO, CUOTO)
- CUTON - Change of Use Office to Non-Office.

The circles depict the proportions of the total number of planning applications in each one kilometre square that are in each of the above development types. The size of each circle is proportional to the total number of office related planning applications in that square.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.8: Locations of Planning Applications in Dublin Classified by Type of Scheme



SCALE 1 : 70,000

Kilometres

KEY

NEWO - New Office Construction.

CUTOO - Change of Use to Office.

Other Office Development (CU+NO, ON>NO, CUOTO)

CUTON - Change of Use Office to Non-Office.

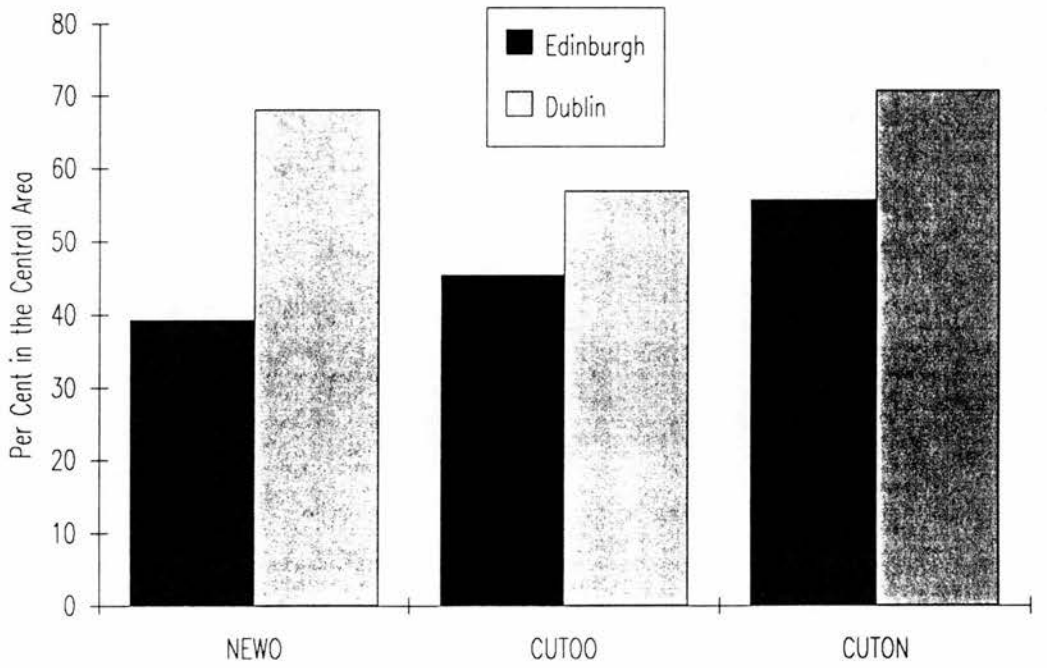
The circles depict the proportions of the total number of planning applications in each one kilometre square that are in each of the above development types. The size of each circle is proportional to the total number of office related planning applications in that square.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

The degree to which the main types of office scheme were concentrated in the city centres can be readily seen in the graph in Figure 6.14. This shows the percentage of each of the three major types of scheme located in the city centre. It highlights the main difference as being in the NEWO class, where some 68 per cent were centrally located in Dublin compared to only around 39 per cent in Edinburgh. The other two classes also show higher levels of centralisation in Dublin, but not to the same degree. It is also of note that of the three main classes in Dublin, CUTON applications were the most centralised (closely followed by the NEWO class), while NEWO applications were the least centralised in Edinburgh.

FIGURE 6.14

The Percentage of Planning Applications Located in the Central Area - Classified by Scheme



Appeals again do not show the same pattern, being rather more centralised in Edinburgh than the planning applications, and less centralised in Dublin. The figures are given below:

	NEWO	CUTOO	CUTON
Edinburgh	50%	60.4%	75%
Dublin	66.7%	52.4%	58.8%

These data are strongly related to the location of refusals of permission, so will not be discussed further until planning decisions have been examined.

2 APPLICATIONS CLASSIFIED ACCORDING TO TYPE OF PERMISSION

Maps 6.9 to 6.12 show the spatial pattern of office related planning applications classified according to the type of permission applied for, namely full, outline or approval permission. The key is made more complex by the fact that different types of applications frequently relate to the same site, as for example when an outline permission application was followed by a full permission application.

Taking the city centres first (Maps 6.9 and 6.10), one of the main differences is the relatively higher incidence of outline permission only sites in Dublin and the rather lower incidence of sites affected by any outline permission application in Edinburgh. Sites only affected by an outline application may simply have been followed up after the end of the study period, or not been pursued because of a refusal, or because of financial circumstances. Many of these sites in Dublin were to the north and north-west of Trinity College, an area generally considered somewhat unfashionable and marginal for office use (McDonald, 1985; Malone, 1985; Bannon, 1972), which suggests they might have fallen victim to the property slump. Overall, central Dublin recorded a density of 0.27 outline applications per hectare (247 sites) compared to the substantially lower level of 0.06 (28 sites) in Edinburgh. Turning to the whole of each city (Maps 6.11 and 6.12) the main point is the higher incidence of outline permission applications in Dublin, especially in the city centre. The graph in Figure 6.15 shows the percentage that are centrally located for each of the three types of permission, and also for the missing data category.[4] Dublin has a more centralised pattern than Edinburgh for each type of permission, except for approvals (but this is misleading since only one occurrence was recorded). Out of outline and full permission applications, the former were least centralised in Edinburgh (37.3 per cent) giving this class the greatest contrast with Dublin. This is a highly significant finding since outline permission applications were also generally NEWO developments of relatively large size[5], and often constituted the more speculative proposals. It is suggested that the pattern is a manifestation of the problems of undertaking the larger new developments in the centre of Edinburgh and the developer's responses, both to these and the planning policies promoting decentralised office centres.

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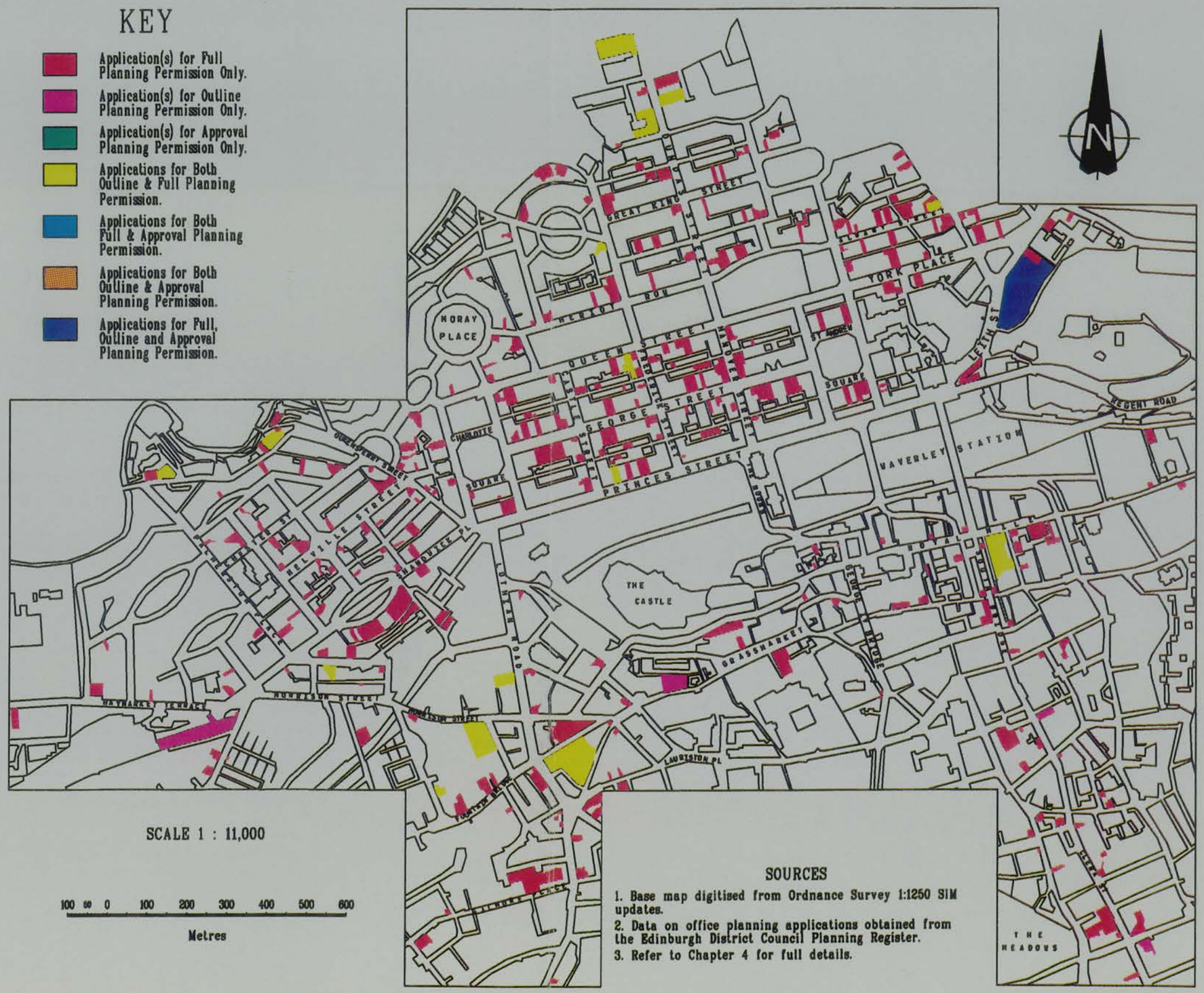
[4]These were typically applications which were withdrawn.
[5]See the results given in Chapter 5.

MAP 6.9: Locations of Edinburgh Planning Applications Classified by the Type of Permission Sought (excludes CUTON)

KEY

- Application(s) for Full Planning Permission Only.
- Application(s) for Outline Planning Permission Only.
- Application(s) for Approval Planning Permission Only.
- Applications for Both Outline & Full Planning Permission.
- Applications for Both Full & Approval Planning Permission.
- Applications for Both Outline & Approval Planning Permission.
- Applications for Full, Outline and Approval Planning Permission.



SCALE 1 : 11,000

100 50 0 100 200 300 400 500 600

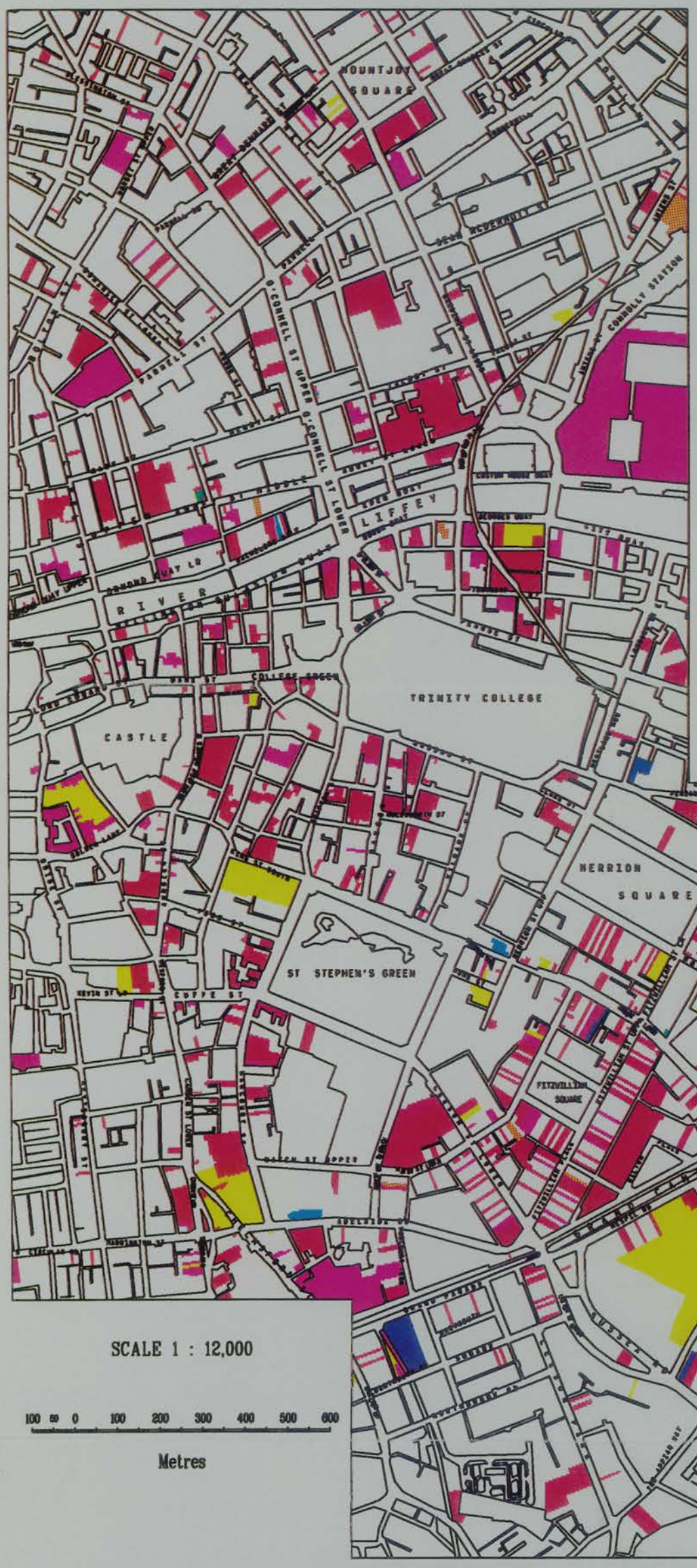
Metres

SOURCES

1. Base map digitised from Ordnance Survey 1:1250 SIM updates.
2. Data on office planning applications obtained from the Edinburgh District Council Planning Register.
3. Refer to Chapter 4 for full details.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.10: Locations of Dublin Planning Applications Classified by the Type of Permission Sought (excludes CUTON)

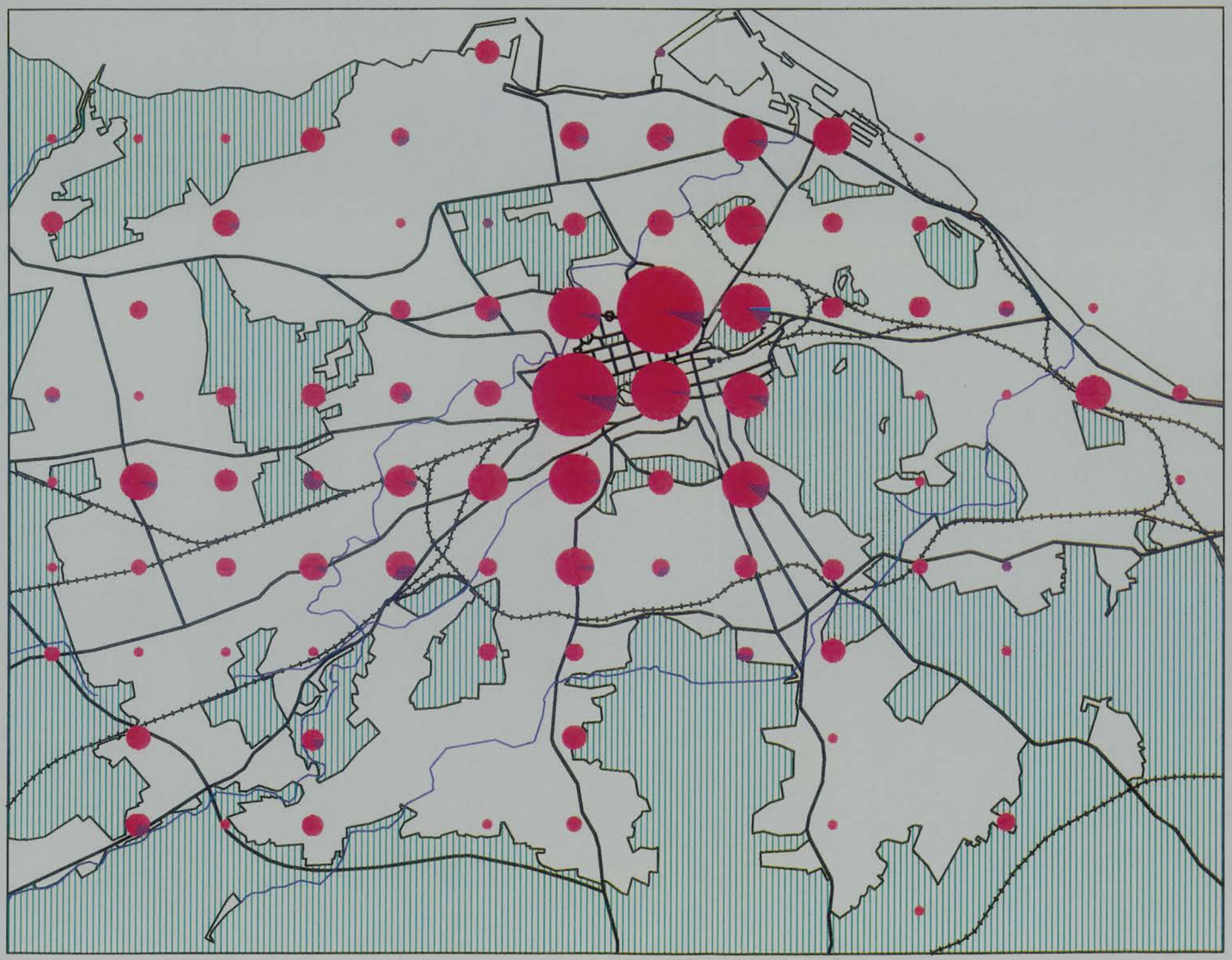


KEY

- Application(s) for Full Planning Permission Only.
- Application(s) for Outline Planning Permission Only.
- Application(s) for Approval Planning Permission Only.
- Applications for Both Outline & Full Planning Permission.
- Applications for Both Full & Approval Planning Permission.
- Applications for Both Outline & Approval Planning Permission.
- Applications for Full, Outline and Approval Planning Permission.

Sources: 1. Base Map digitised from 1:1,000 scale Ordnance Survey of Ireland maps. 2. Planning data from Dublin Corporation Register. 3. See Chapter 4 for full details.
Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, Univ. of Edinburgh.

MAP 6.11: Proportions of Edinburgh Planning Applications in Each Class of Permission (excluding CUTON)



SCALE 1 : 55,000

1 1/2 0 1 2

Kilometres

KEY

Application(s) for Full Planning Permission.

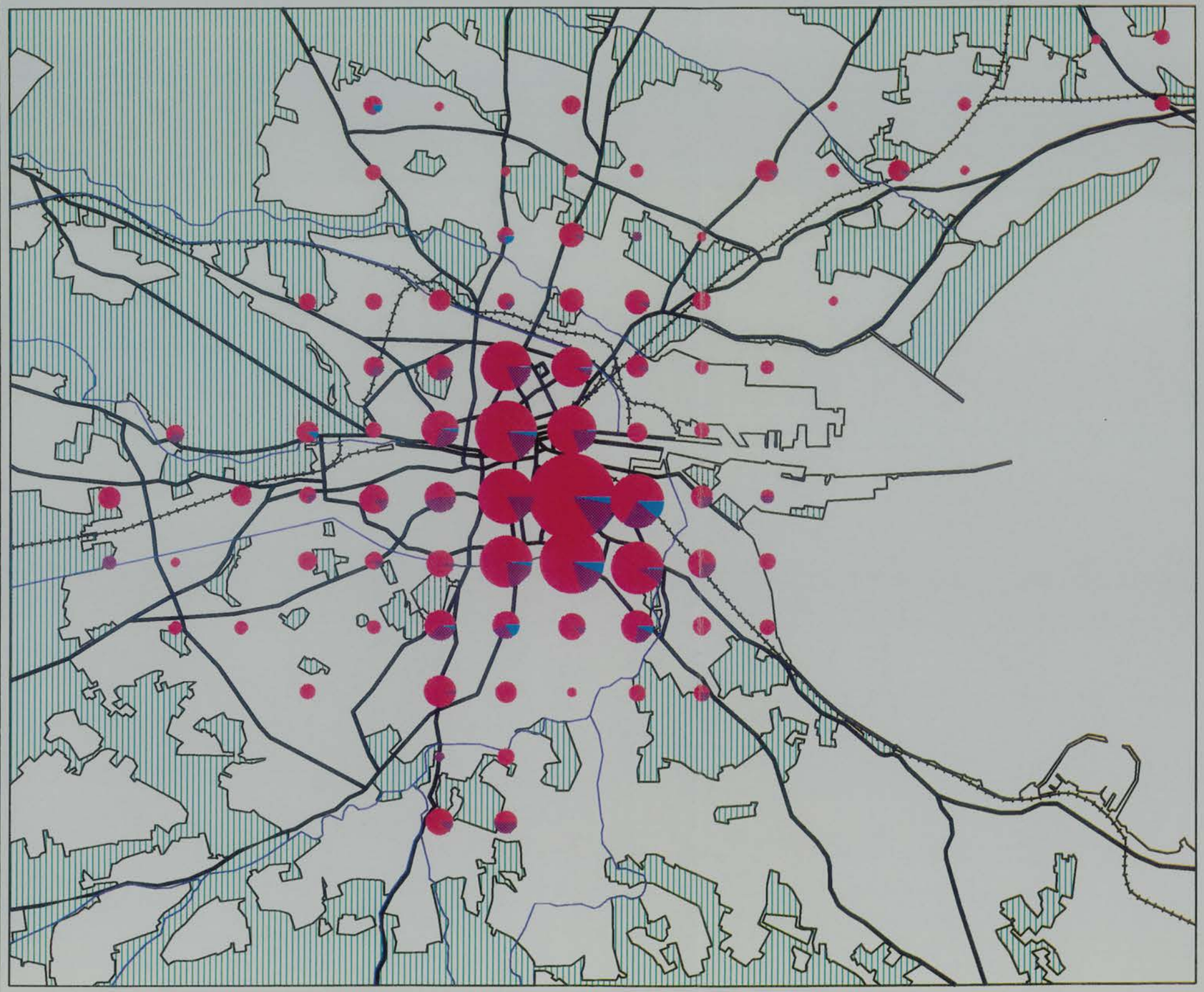
Application(s) for Outline Planning Permission.

Application(s) for Approval Planning Permission.

The circles depict the proportions of the total number of planning applications in each one kilometre square that are in each of the above permission types. The size of each circle is proportional to the total number of office related planning applications in that square.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.12: Proportions of Dublin Planning Applications in Each Class of Permission (excluding CUTON)



SCALE 1 : 70,000

0 1/2 0 1 2

Kilometres

KEY

Application(s) for Full Planning Permission.

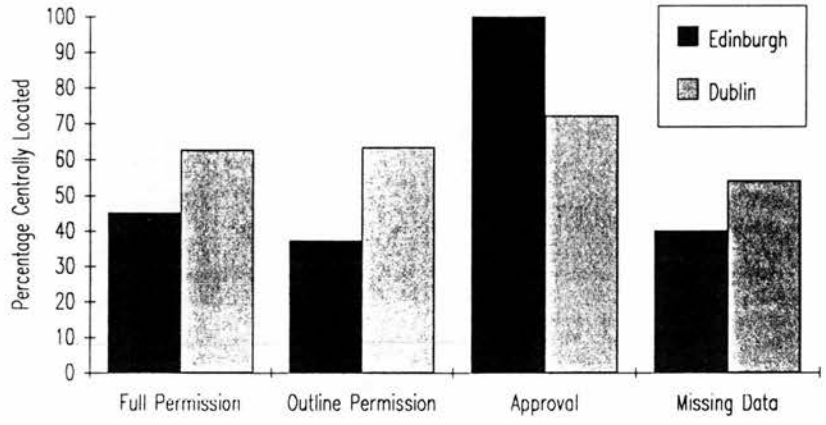
Application(s) for Outline Planning Permission.

Application(s) for Approval Planning Permission.

The circles depict the proportions of the total number of planning applications in each one kilometre square that are in each of the above permission types. The size of each circle is proportional to the total number of office related planning applications in that square.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

FIGURE 6.15
Percentages of Centrally Located Applications Classified by Permission Type Sought (excluding CUTON)



The appeals will not be considered in detail at this point for the same reasons as stated previously, so no maps are presented. It may be noted, though, that appealed applications were relatively centralised in both cities, and thus not greatly dissimilar in terms of locational pattern. Some 60.7 per cent of full permission and 50 per cent of outline permission appeals were located in the central Edinburgh, and 80 per cent of approval, 59.8 per cent of full permission and 60.6 per cent of outline permission appeals were situated in the central Dublin.

3 THE SPATIAL DISTRIBUTION OF PLANNING DECISIONS

The decisions made on office planning applications located in central Edinburgh and Dublin are illustrated in Maps 6.13 to 6.16. The NEWO and CUTOO schemes are shown on separate maps for greater clarity. The remaining classes are not mapped as they are of rather lesser interest in the present study. As multiple applications affected many sites, especially in Dublin, so also there are many instances of different decisions being made in respect of development on a site. Such sites are cross-hatched with the appropriate shading to reflect each type of decision (e.g. granted or refused).

A comparison of Maps 6.13 and 6.15 shows that there is a dramatic difference in the incidence of proposed NEWO developments in the city centres. The area of central Dublin from the castle in the west, River Liffey to the north and just to the south of the Grand Canal is dominated by proposed new office construction schemes. The majority of these sites incorporate green hatching indicating that one or more applications were granted planning permission. It is only to the south and east of Merrion and Fitzwilliam Squares that there is a substantial concentration of sites for

which planning permission was refused. This is because the area contains many listed Georgian buildings, was mostly designated a Conservation Area in the 1980 Development Plan (Corporation of Dublin, 1980), and zoned to limit the office content of developments. Despite these considerations, the sites where a permission was eventually granted outweigh those where all NEWO schemes were refused. Large areas of central Edinburgh were almost untouched by NEWO development proposals (such as the West End and New Town north of Queen Street), and those that there were, were mostly granted. The two largest sites affected by refusals were gap sites. The site on Morrison Street had previously been light industrial usage. The other was in the Old Town on the corner of the Royal Mile and South Bridge and was the site of a demolished department store. The latter was considered to need particularly sensitive treatment.[6] In total, central Dublin recorded over four times the density of grants of NEWO permission as Edinburgh (0.66 versus 0.15 per hectare).

Maps 6.14 and 6.16 show the decisions on CUTOO schemes. As has been noted before, there were a lot more of these in central Edinburgh than there were NEWO proposals. The reverse is true in Dublin. In consequence the density of applications is more similar than was the case for NEWO schemes. Refusals are more common in Edinburgh than they were for the NEWO class, being especially prevalent in the New Town areas. Many of these were refused because they involved the loss of a central area residence, which the DPA was committed to preserving. For most of central Dublin, it can be seen that the numbers of planning refusals are low, but there is a clear geographical distinction between the area north of the Grand Canal and that south of it. On the southern side most of the CUTOO applications were refused permission. Most of this area is a Conservation Area and the major portion is zoned 'to protect and/or improve residential amenity', with a small area zoned 'to provide for residential and such office use as is compatible with conservation and renewal requirements' (Corporation of Dublin, 1980, Map 6). The PA has thus been relatively strict during the study period in resisting further encroachment of office use into these high quality late Georgian and Victorian residential suburbs. In the main Georgian area north of the canal, most CUTOO applications have been granted permission, since although a Conservation Area the zoning is such as 'to provide for compatible residential and office uses' (Corporation of Dublin, 1980, Map 6). Office use has been seen as a means of promoting conservation, and reducing the chance of more drastic redevelopment proposals coming forward. In terms of density, Edinburgh was slightly higher at 0.56 CUTOO grants of permission per hectare compared to 0.46 in Dublin.

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[6]This site was subsequently used for the Scandic Crown hotel (1991) with a mostly stone 'Old Town' style facade.

MAP 6.13: Central Edinburgh Decisions on NEWO Planning Applications

KEY

- Planning Application(s) Granted Permission.
- Planning Application(s) Refused Permission.
- Planning Application(s) Withdrawn.
- Planning Applications on Which No Decision Made.

Other classes are made up of combinations of the above symbols. The first plus the second, for example, depicts both refused and granted planning applications.

SCALE 1 : 11,000

100 50 0 100 200 300 400 500 600

Metres

SOURCES

1. Base map digitised from Ordnance Survey 1:1250 SIM updates.
2. Data on office planning applications obtained from the Edinburgh District Council Planning Register.
3. Refer to Chapter 4 for full details.

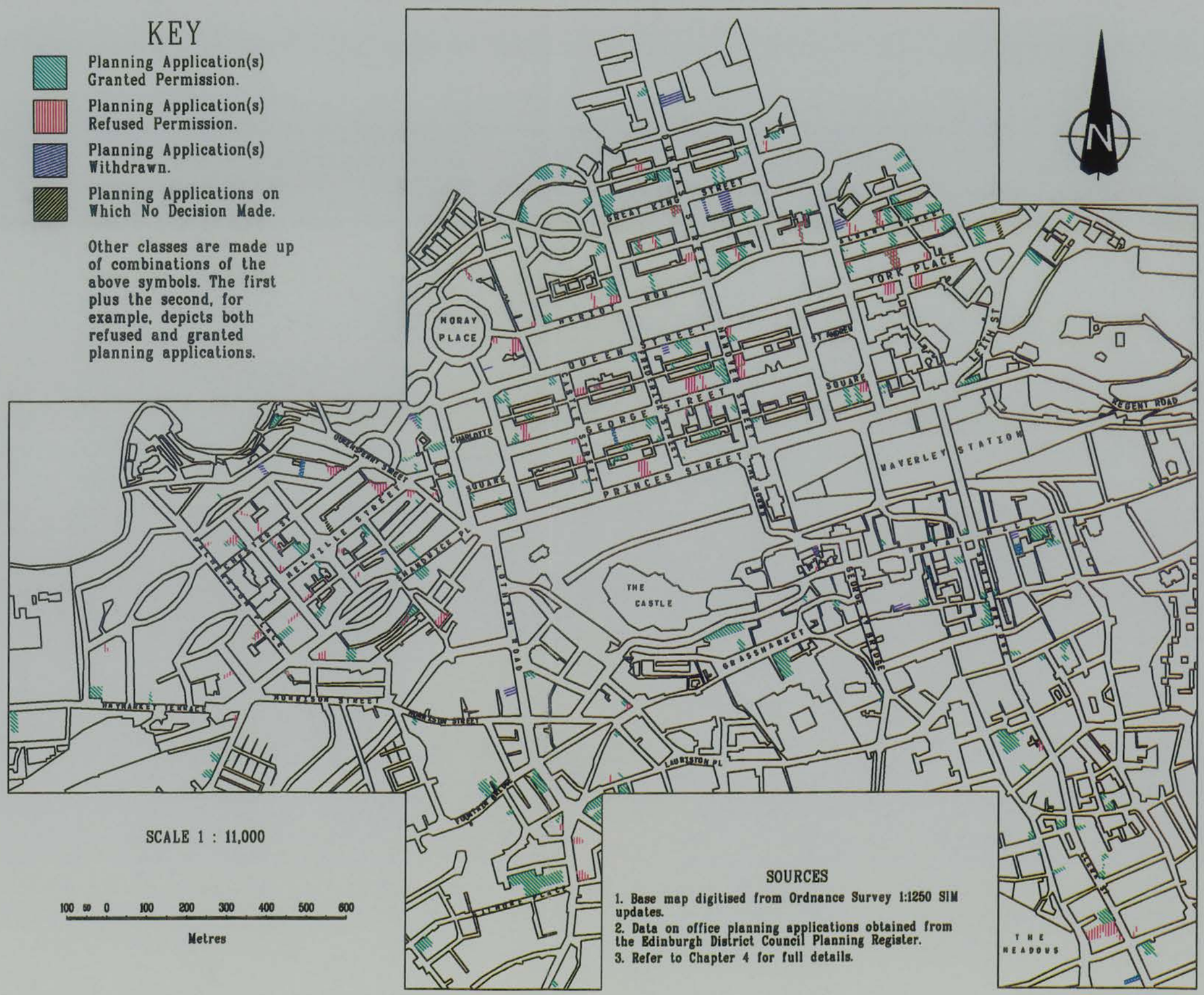
Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.14: Central Edinburgh Decisions on CUTOO Planning Applications

KEY

- Planning Application(s) Granted Permission.
- Planning Application(s) Refused Permission.
- Planning Application(s) Withdrawn.
- Planning Applications on Which No Decision Made.

Other classes are made up of combinations of the above symbols. The first plus the second, for example, depicts both refused and granted planning applications.



SCALE 1 : 11,000

100 50 0 100 200 300 400 500 600

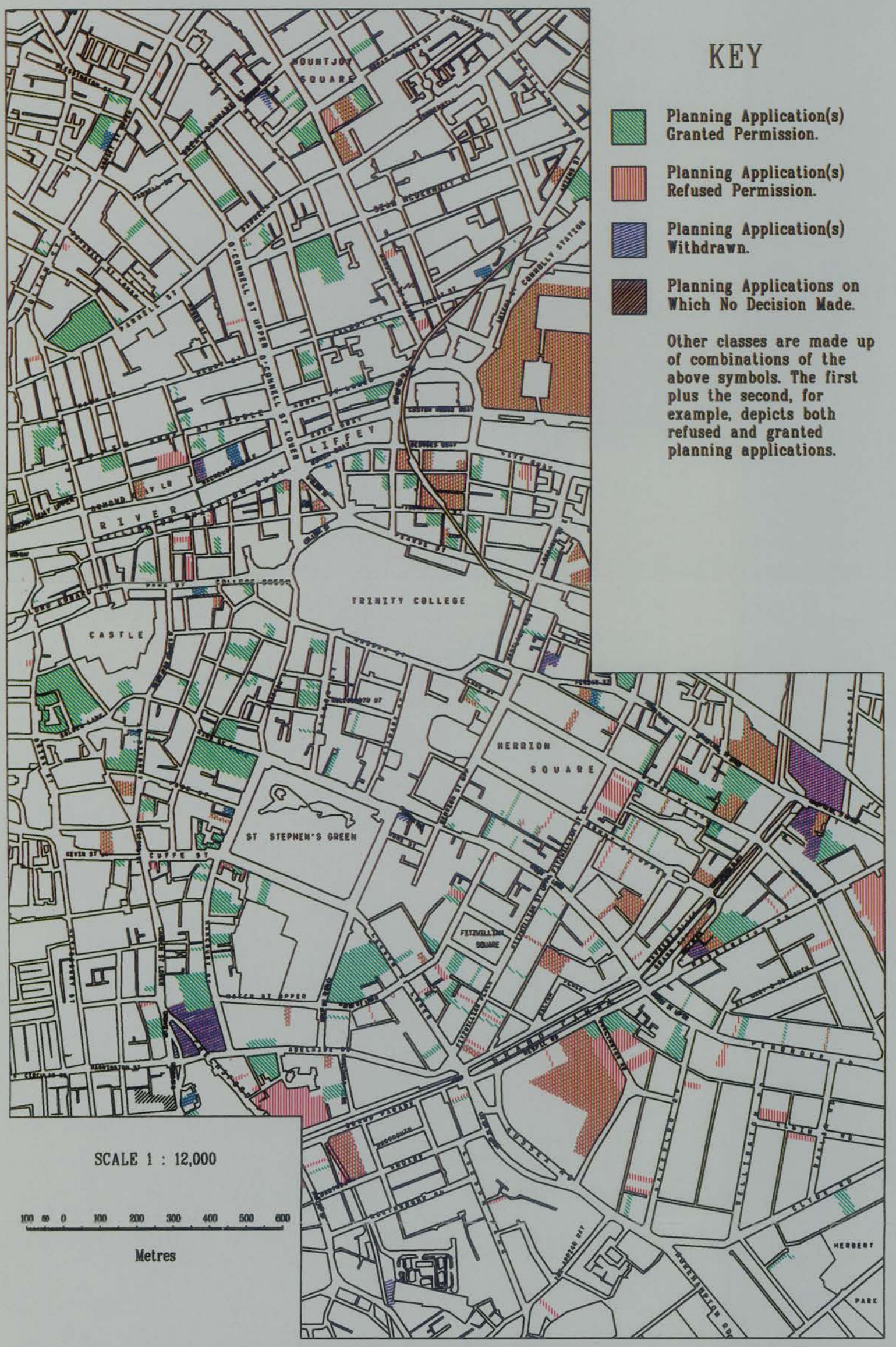
Metres

SOURCES

1. Base map digitised from Ordnance Survey 1:1250 SIM updates.
2. Data on office planning applications obtained from the Edinburgh District Council Planning Register.
3. Refer to Chapter 4 for full details.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.15: Central Dublin Decisions on NEWO Planning Applications



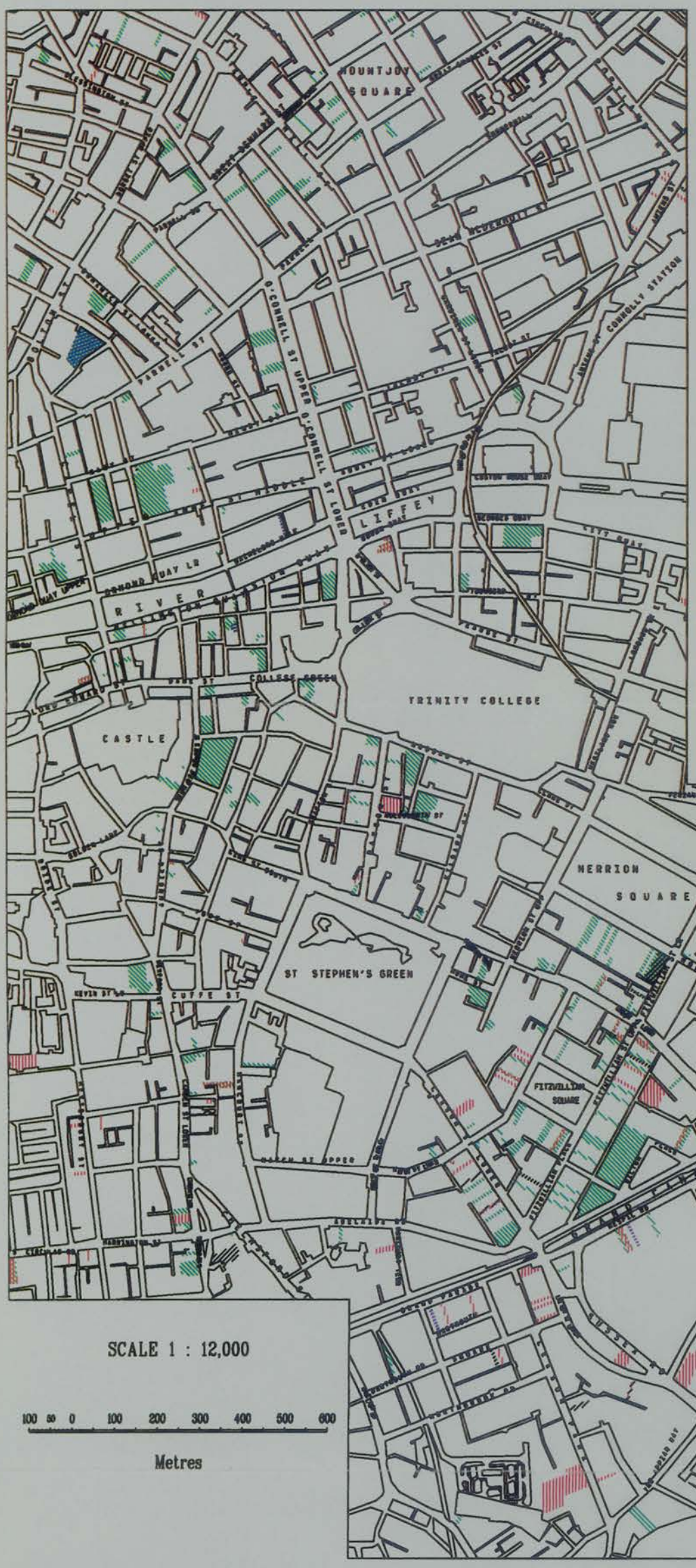
KEY

- Planning Application(s) Granted Permission.
- Planning Application(s) Refused Permission.
- Planning Application(s) Withdrawn.
- Planning Applications on Which No Decision Made.

Other classes are made up of combinations of the above symbols. The first plus the second, for example, depicts both refused and granted planning applications.

Sources: 1. Base Map digitised from 1:1,000 scale Ordnance Survey of Ireland maps. 2. Planning data from Dublin Corporation Register. 3. See Chapter 4 for full details.
Compiled by Tim Rideout on Arc/Info – Oracle, Department of Geography, Univ. of Edinburgh.

MAP 6.16: Central Dublin Decision on CUTOO Planning Applications



KEY

- Planning Application(s) Granted Permission.
- Planning Application(s) Refused Permission.
- Planning Application(s) Withdrawn.
- Planning Applications on Which No Decision Made.

Other classes are made up of combinations of the above symbols. The first plus the second, for example, depicts both refused and granted planning applications.

Sources: 1. Base Map digitised from 1:1,000 scale Ordnance Survey of Ireland maps. 2. Planning data from Dublin Corporation Register. 3. See Chapter 4 for full details.
Compiled by Tim Rideout on Arc/Info – Oracle, Department of Geography, Univ. of Edinburgh.

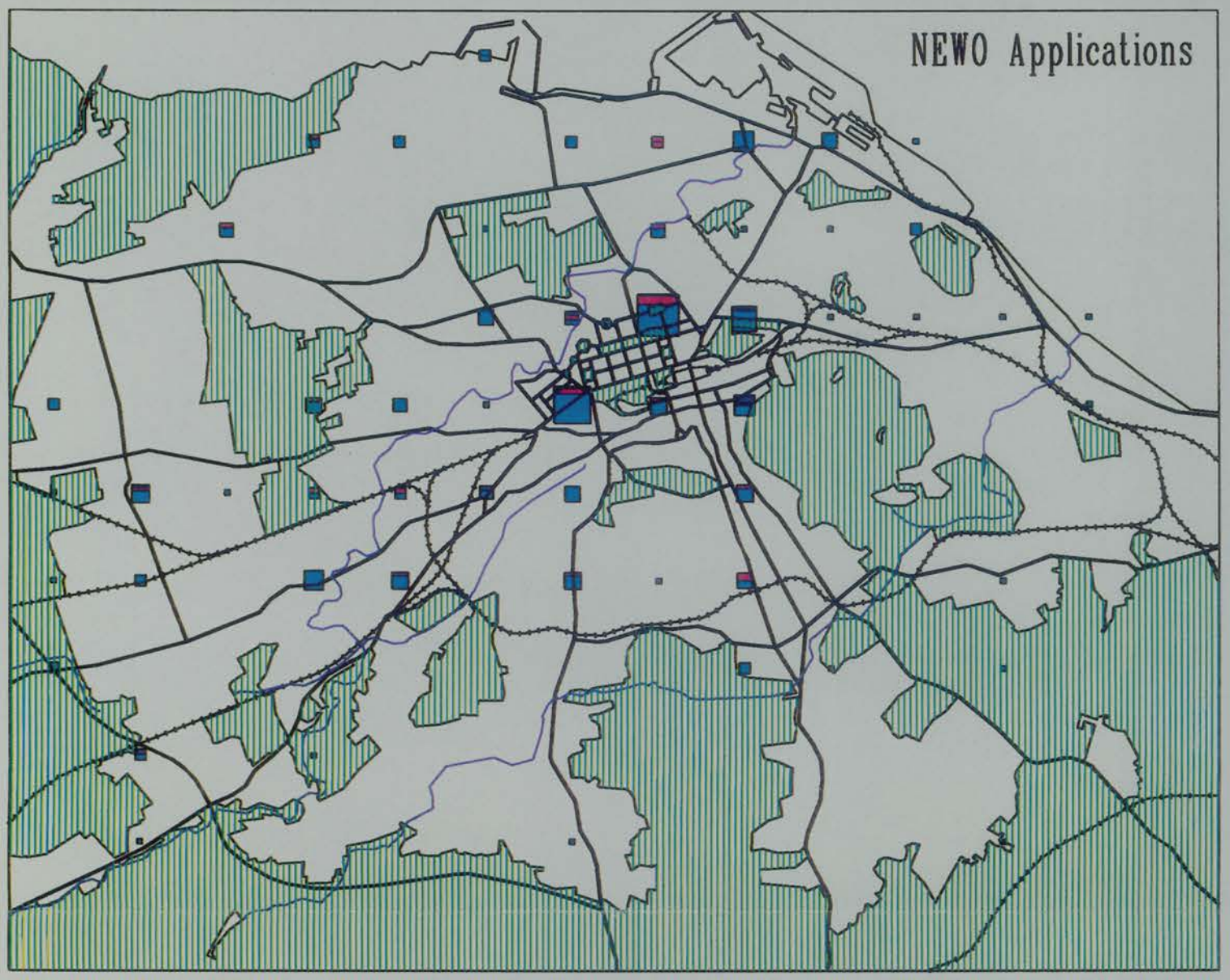
Maps 6.17 and 6.18 show the outcome of planning applications for the whole of each city for both the NEWO and CUTOO scheme types in the form of proportional boxes. The differently shaded segments of each box indicate the percentages of applications that were granted, refused, withdrawn or without a decision, while the boxes themselves are proportional to the total number of planning applications located within each one square kilometre.[7]

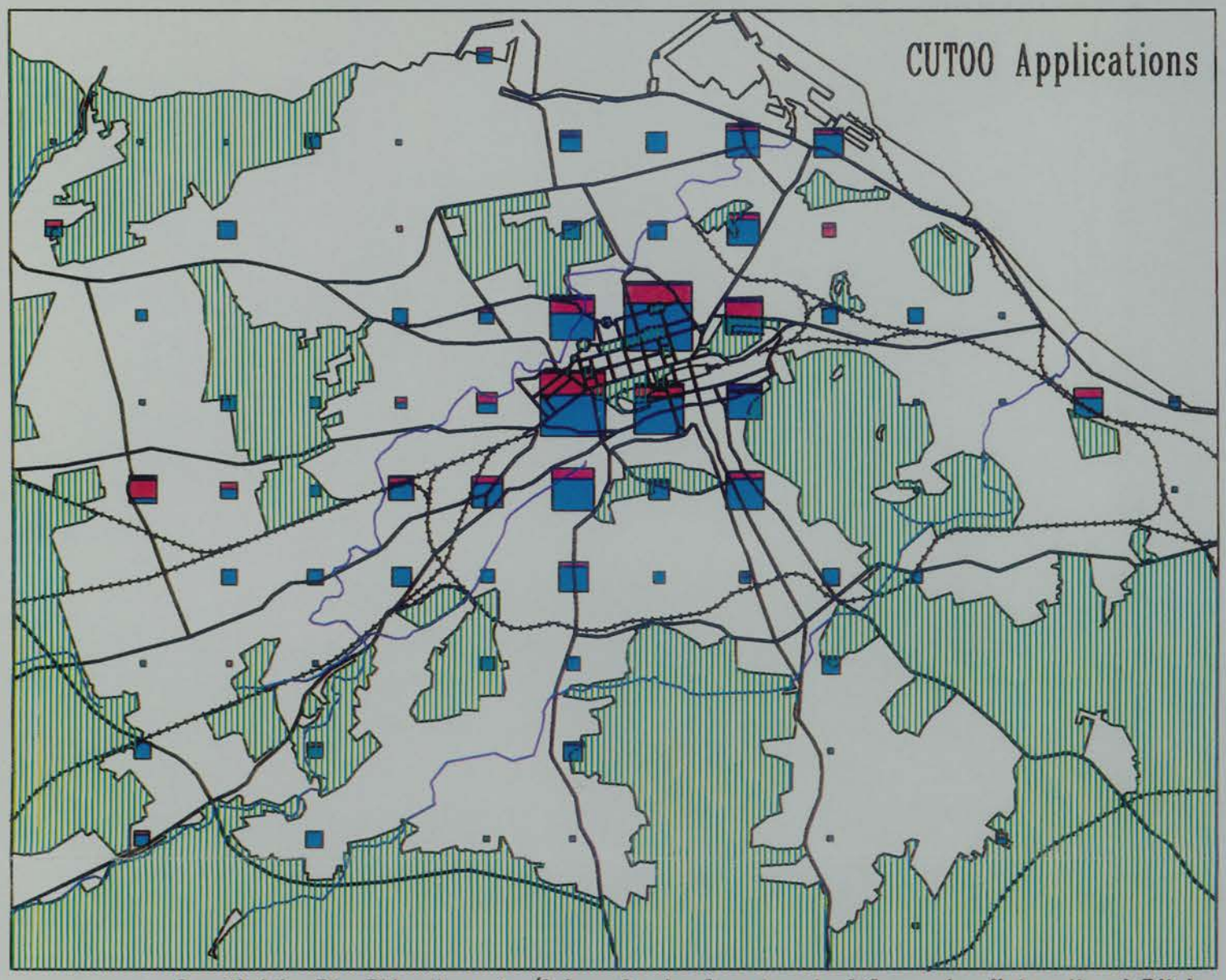
The contrasts for NEWO applications are again stark given the much higher numbers in Dublin. The area south of the Liffey in central Dublin stands out as having a high incidence of refusals, certainly considerably more so than any part of central Edinburgh. Dublin also exhibits some quite high proportions of refusals in the suburbs (mostly not the case in Edinburgh), which reflects the Corporation's desire to prevent encroachment on residentially zoned areas. For the CUTOO applications much of central Edinburgh shows quite a high proportion of refusals in contrast to the rather lower levels in all of central Dublin other than the area to the south of the Grand Canal. Both cities have some isolated occurrences of high refusal rates at suburban locations, typically linked to the loss of shop units in the main suburban shopping streets, such as on Portobello High Street due east of Edinburgh.

Figure 6.16 shows the percentages of each development scheme type that were granted planning permission in the central cities on the left as compared to the suburbs on the right. This confirms that there is significant spatial variation between the two cities. In the centres, the differences are relatively modest, but Edinburgh granted permission to a higher percentage of applications than Dublin in every category except the numerically small ON>NO class. The difference between the NEWO and CUTOO classes is considerably greater in Edinburgh than in Dublin, but with the former being higher in both. In the suburban areas the divergence between Edinburgh and Dublin is much greater, since Edinburgh had substantially higher success rates for every category. This arises because all the success rates for each class of Edinburgh suburban applications are similar to or higher than for the corresponding city centre class, while in Dublin they are similar or lower. In Edinburgh CUTOO applications had a much higher success rate in suburban areas than in the centre, while in Dublin both NEWO and CUTOO classes experienced much lower success rates in the suburbs.

[7]Please note that the scales used to draw the boxes are not the same between the two cities, due to the higher numbers of applications in Dublin and smaller scale of the base map.

MAP 6.17: Decisions on NEWO and CUTOO Planning Applications in Edinburgh





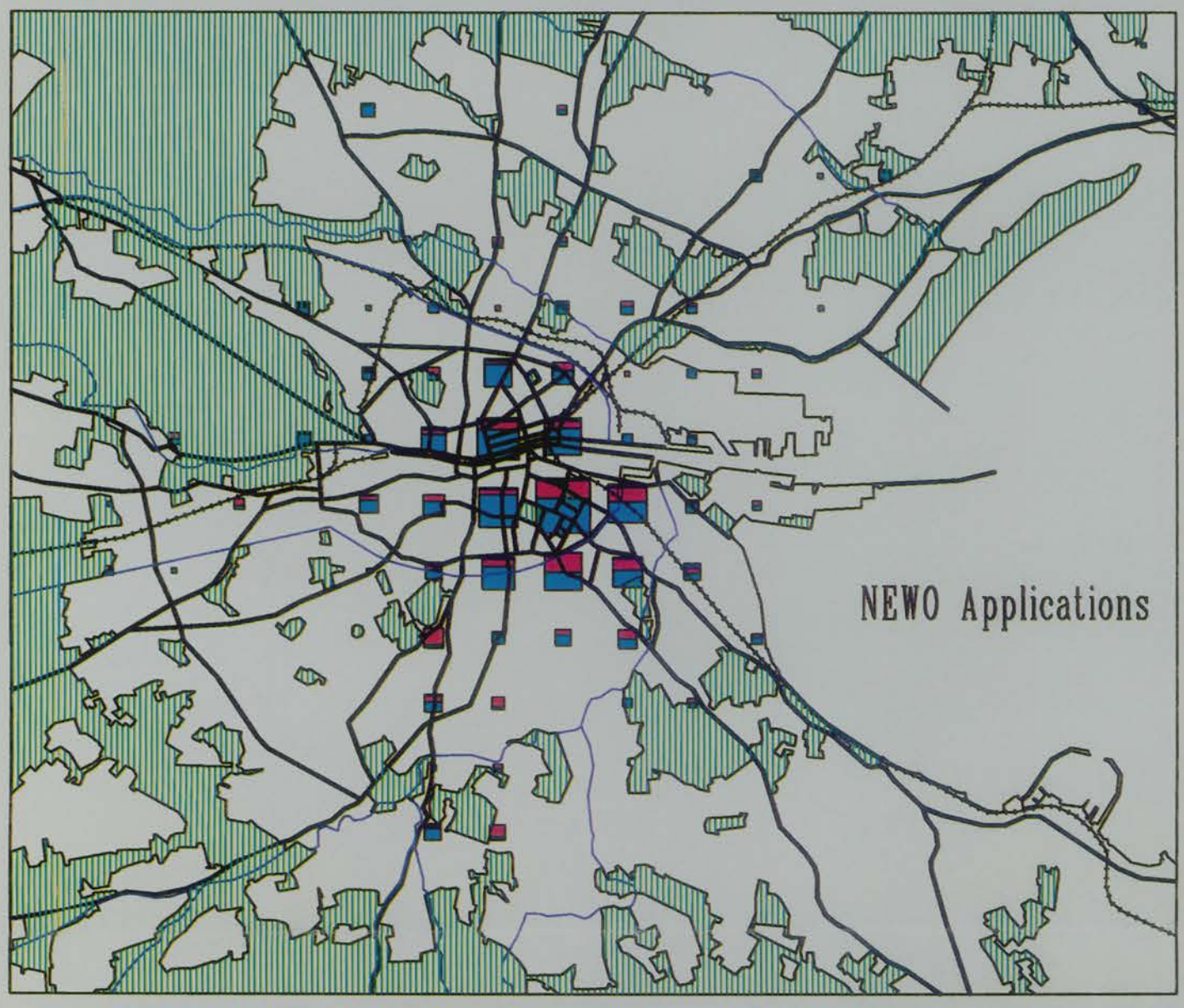
KEY

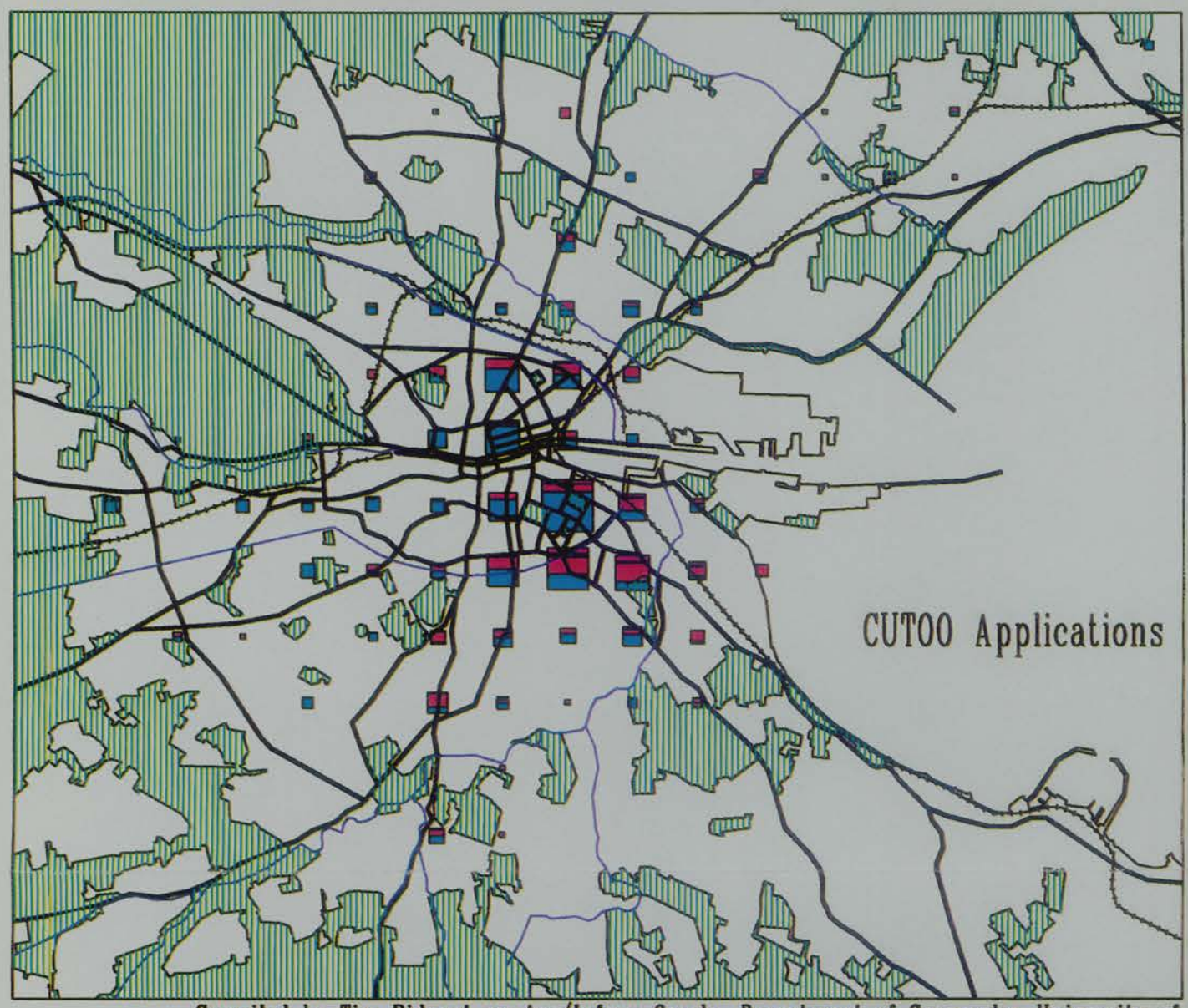
- Planning Application(s) Granted Permission.
- Planning Application(s) Refused Permission.
- Planning Application(s) Withdrawn.
- Planning Application(s) on Which No Decision Made.

The shaded squares represent the breakdown of the planning decisions made on NEWO and CUTOO planning applications. The size of each square is proportional to the total number of such applications. The scale is the same for both maps.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.18: Decision on NEWO and CUTOO Planning Applications in Dublin





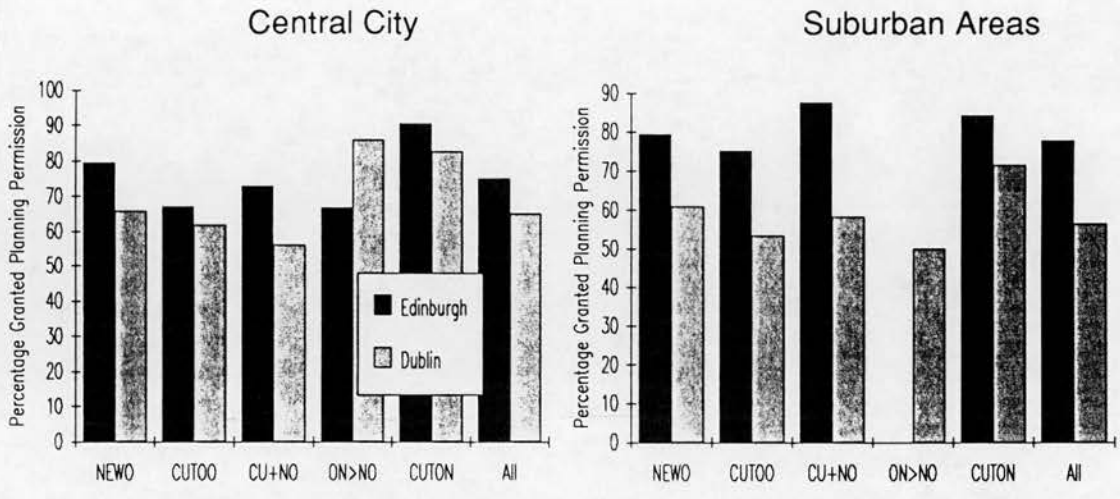
KEY

- Planning Application(s) Granted Permission.
- Planning Application(s) Refused Permission.
- Planning Application(s) Withdrawn.
- Planning Application(s) on Which No Decision Made.

The shaded squares represent the breakdown of the planning decisions made on NEWO and CUTOO planning applications. The size of each square is proportional to the total number of such applications. The scale is the same for both maps.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

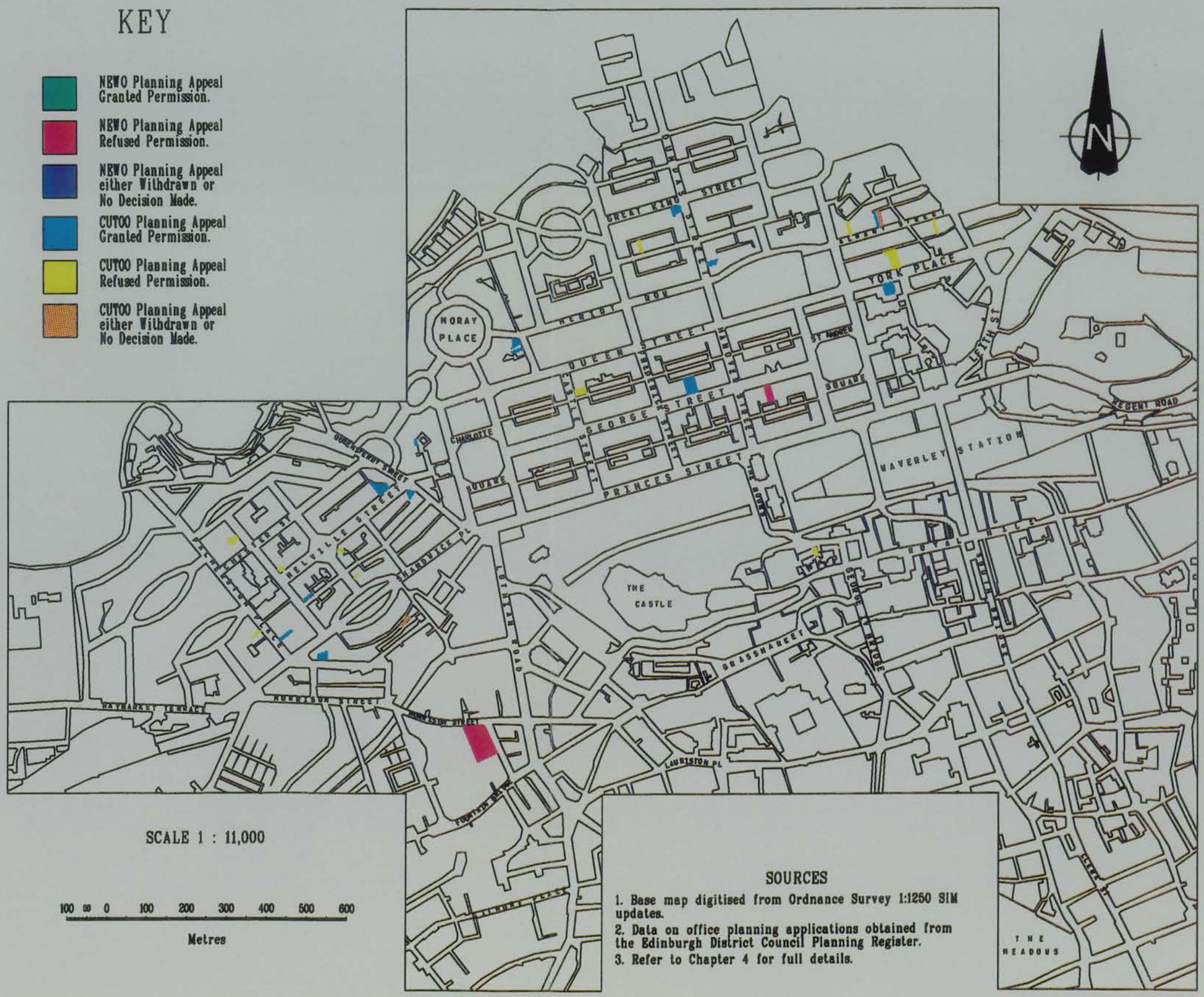
FIGURE 6.16
Percentages of Applications Granted Permission Grouped by Location



These results can be considered in an alternative way, namely that 39.3 per cent of all Edinburgh NEWO schemes were located in the city centre, as were exactly the same percentage of those granted permission. Some 45.4 per cent of CUTOO applications were located in the city centre, but only 42.5 per cent of those granted. The corresponding figures for Dublin are 68.1 per cent of NEWO schemes in the centre, but 69.8 per cent of those granted were located there, and 56.9 per cent of CUTOO schemes located in the centre, but 60.4 per cent of those granted were located there.

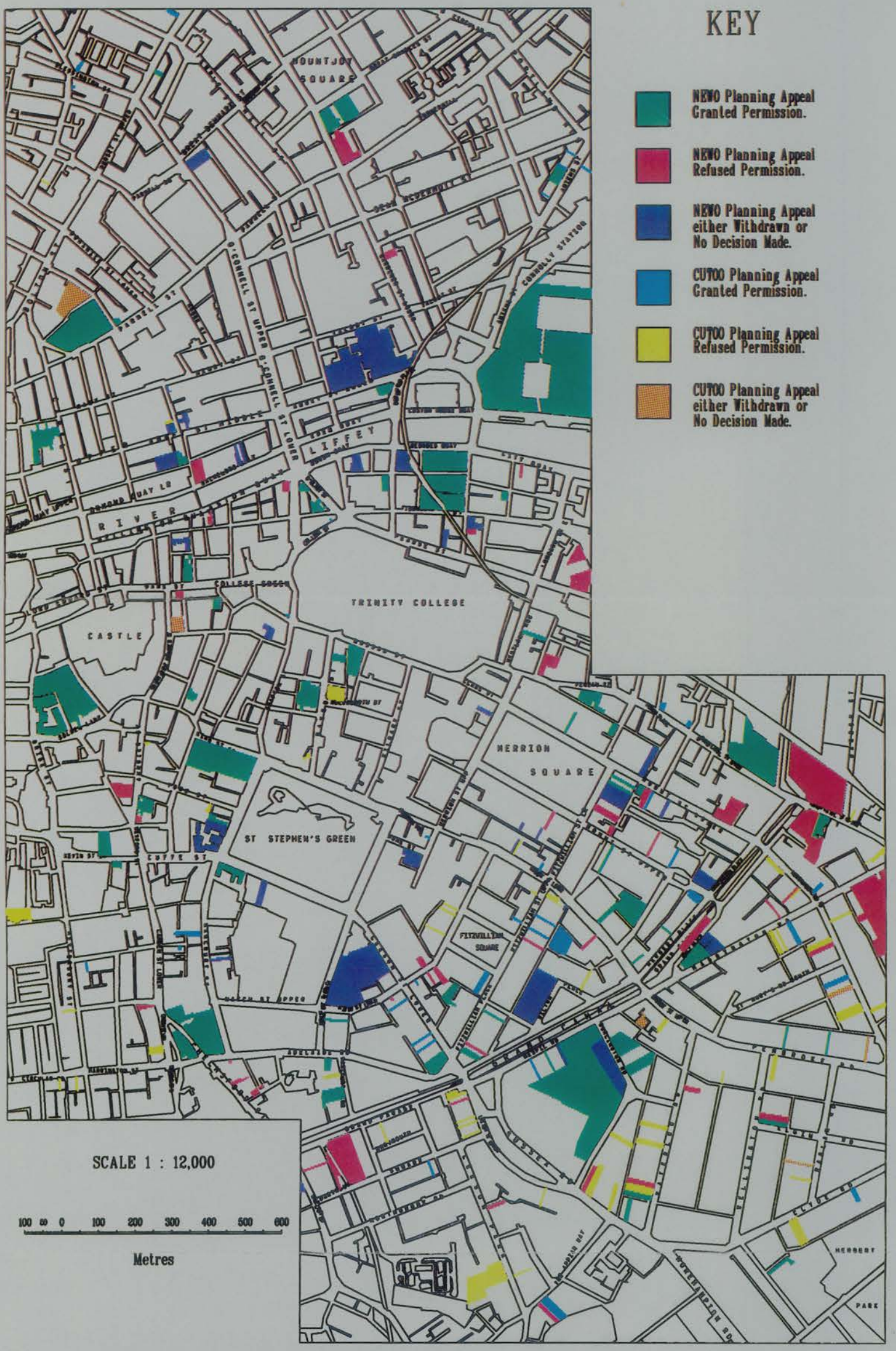
Turning the attention to appeals, Maps 6.19 and 6.20 show the locations of all city centre NEWO and CUTOO planning appeals colour coded according to the result. In Dublin there were several cases of multiple appeals with different outcomes affecting the same site, but the printing process only permits one solid colour. The number of appeal sites in Edinburgh is clearly relatively insignificant compared to the position in central Dublin, and especially so for NEWO schemes (0.3 NEWO appeals per hectare compared to less than 0.01 in Edinburgh, and 0.17 CUTOO appeals per hectare compared to 0.06). In terms of decisions there is a sprinkling of granted CUTOO appeals in Edinburgh, but this is as nothing compared to the numbers of granted NEWO and CUTOO appeals in Dublin. Two general points can be made about the Dublin map: firstly, a large proportion of NEWO appeals affected large sites and were probably thus also large office developments, and secondly, CUTOO appeals are strongly concentrated in the area around the Grand Canal. The latter is due to the fact that almost all the refused CUTOO schemes were located in this area (see Map 6.16).

MAP 6.19: Locations of and Decisions Made on Central Edinburgh NEWO and CUTOO Planning Appeals



Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.20: Locations of and Decisions Made on Central Dublin NEWO and CUTOO Planning Appeals



Sources: 1. Base Map digitised from 1:1,000 scale Ordnance Survey of Ireland maps. 2. Planning data from Dublin Corporation Register. 3. See Chapter 4 for full details.
Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, Univ. of Edinburgh.

It is clear from the Dublin map that a substantial number of NEWO appeals were granted in Dublin. These appear especially to be those affecting the larger sites. This implies that Dublin appeal results may have had a greater impact on the physical appearance of the city centre than their numbers might suggest. For CUTOO appeals considerable numbers were also granted, including some south of the Grand Canal. This area was identified earlier as one in which the PA had refused most CUTOO applications.

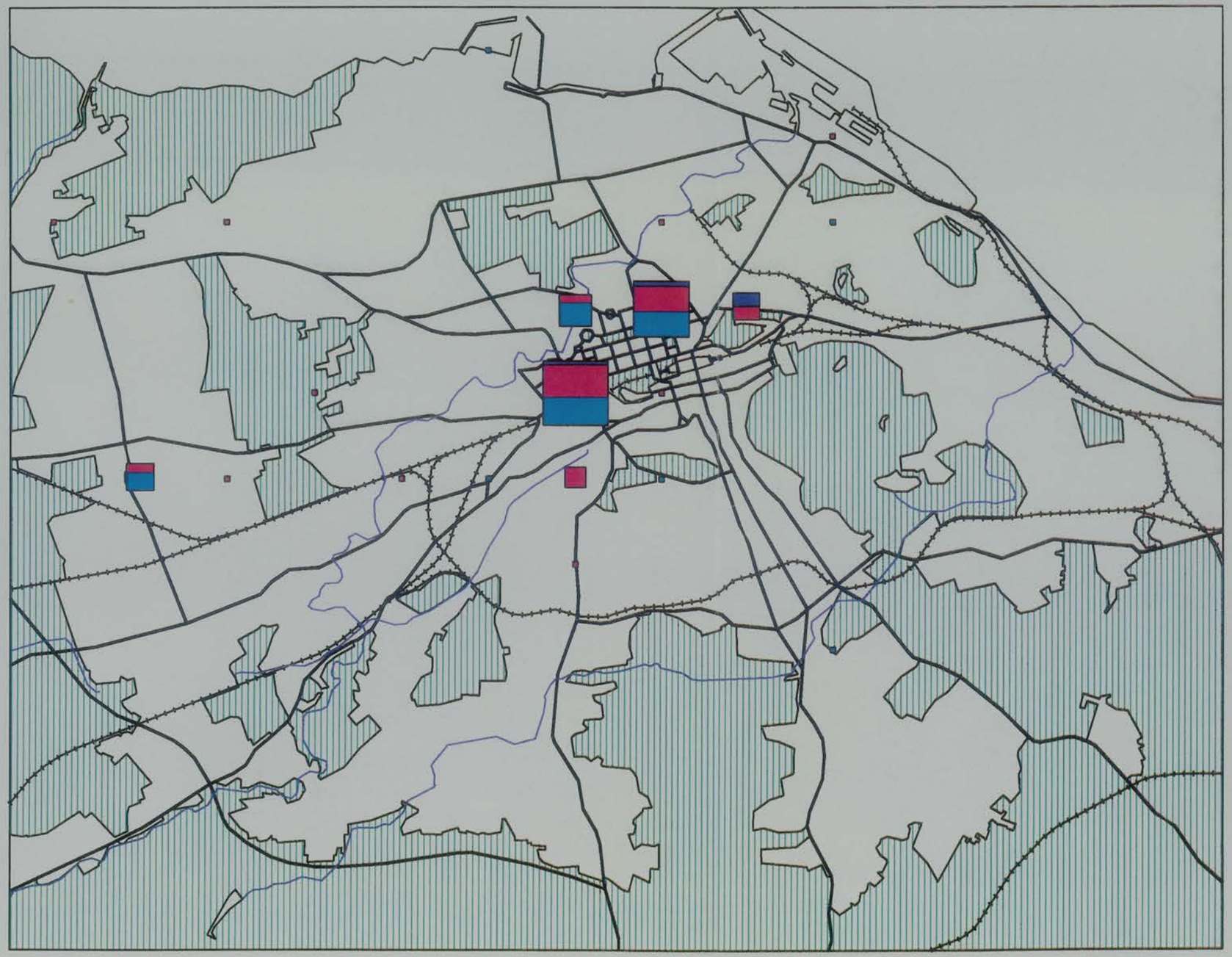
Maps 6.21 and 6.22 show the outcomes of all non-CUTON planning appeals for the whole of each city in the form of proportional boxes for each one kilometre grid square. The fact that there were so many more appeals in Dublin stands out clearly, but it also appears that there were relatively very few Edinburgh appeals outside the city centre (other than a concentration at South Gyle to the west. In Dublin the major appeal concentration is in the city centre, but south of the River Liffey. Since most Edinburgh grid squares outside the centre were only affected by one appeal, there is no obvious spatial pattern to the decisions. In Dublin, though, it would seem that the proportion of refusals is higher south of the river compared to the north, and in the suburbs compared to the city centre.

Figure 6.17 illustrates the percentages of appeals against refusals[8] that were granted for each type of scheme and divided into central and suburban locations. It is interesting that unlike planning applications, appeal success rates overall show virtually no difference between the two areas in either city. There are variations, though for each particular class, thus CUTOO appeals were slightly less likely to succeed in suburban Edinburgh compared to the centre, but much more likely in Dublin. Dublin NEWO appeals were considerably more likely to succeed in the city centre as compared to the suburbs. Dublin Third Party appeals applied to grants of permission, and effectively reflected the same pattern since grants of NEWO permission were only overturned in 6 per cent of the cases in the city centre, but 32 per cent in the suburbs.

It might be expected that the incidence of appeals would be higher in the city centres, given that these are the foci of office development, but there is in fact only limited evidence to support this view. Measuring the incidence as the proportion of refused planning applications that were subject to appeal, the results for the three main scheme types are given below:

[8]Thus appeals against planning conditions and Dublin Third Party appeals are excluded.

MAP 6.21: Decisions on Edinburgh Planning Appeals (excluding CUTON developments)



SCALE 1 : 55,000

1 1/2 0 1 2

Kilometres

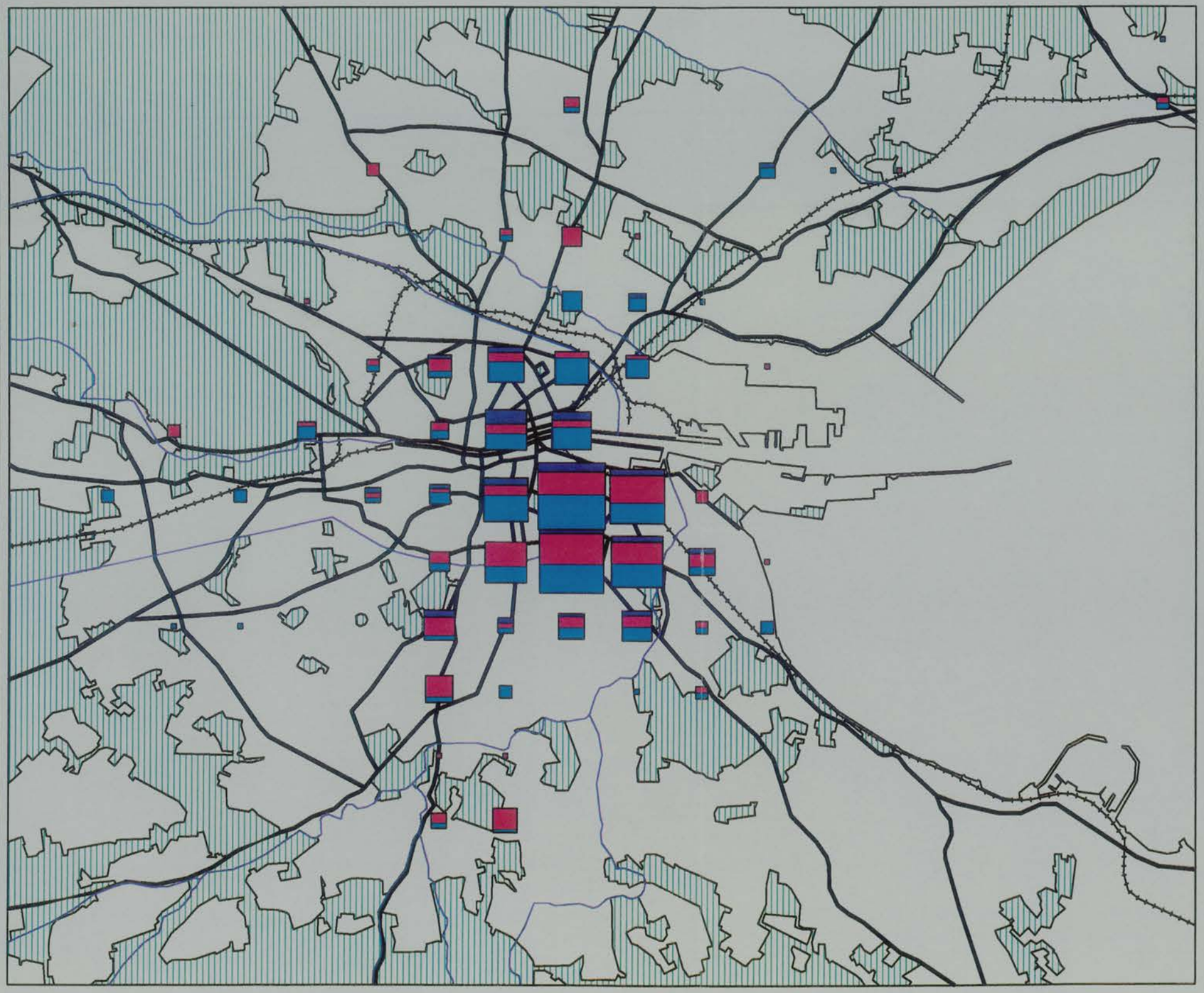
KEY

- Planning Appeal Granted Permission.
- Planning Appeal Refused Permission.
- Planning Appeal Withdrawn.
- Planning Appeal on Which No Decision Was Made.

The shaded squares represent the breakdown of decisions made on planning appeals. Each square is proportional in size to the number of appeals made. The map excludes CUTON appeals.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.22: Decisions on Dublin Planning Appeals (excluding CUTON developments)



SCALE 1 : 70,000

1 ½ 0 1 2

Kilometres

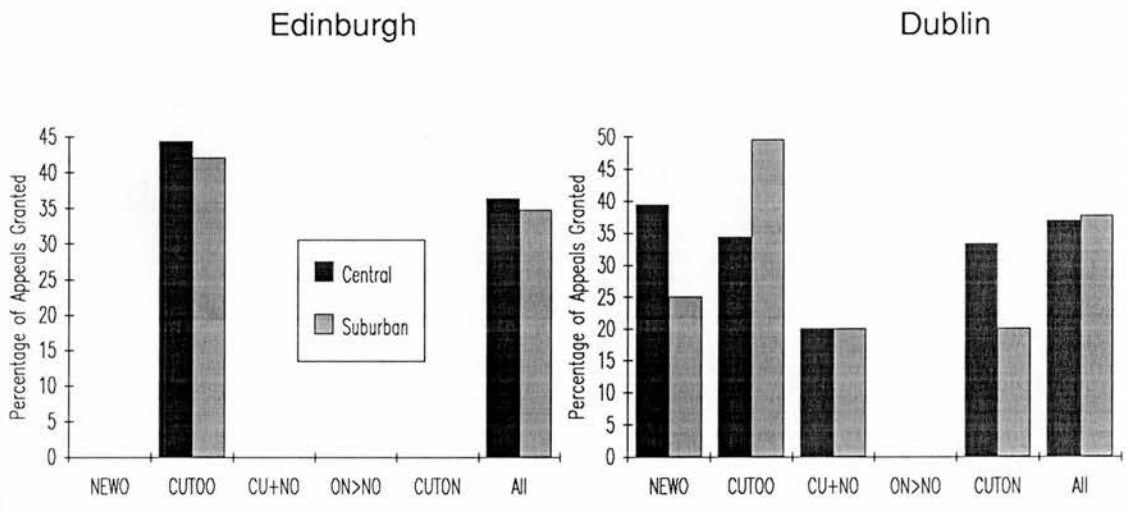
KEY

- Planning Appeal Granted Permission.
- Planning Appeal Refused Permission.
- Planning Appeal Withdrawn.
- Planning Appeal on Which No Decision Was Made.

The shaded squares represent the breakdown of decisions made on planning appeals. Each square is proportional in size to the number of appeals made. The map excludes CUTON appeals.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

FIGURE 6.17
Percentages of Granted Appeals Against Refused Permissions - Grouped by Location



	Edinburgh		Dublin	
	Centre	Suburbs	Centre	Suburbs
NEWO	25	14.3	62.6	63.6
CUTOO	25	19.8	66.9	62.3
CUTON	22.2	11.1	66.7	71.4

All the Edinburgh incidences are less than half those in Dublin, but they do show a noticeably higher level in the city centre. In Dublin the spatial differences are relatively small, which suggests that the likelihood of an appeal was little influenced by the location. This is also true of Dublin Third Party appeals (not included in the data cited above), where 9.6 per cent of NEWO central area grants of permission were subjected to such an appeal compared to 8.3 per cent of those in the suburbs.

After taking all the appeals into account, the final proportions of applications granted permission classified by location are given in Table 6.5. Appeals had a minimal effect in Edinburgh as has already been noted, but raised all the Dublin figures nearer to the Edinburgh equivalents. Thus at the end of the day NEWO schemes were more likely to be granted planning permission compared to CUTOO schemes in both central and suburban Edinburgh, while this was also true in central Dublin, but reversed in the suburbs. Within Dublin the advantage of the city centre is increased for NEWO applications, but narrowed for CUTOO and CUTON schemes. The final results can be summarised as follows: Edinburgh has higher success rates for NEWO, CUTOO and CUTON schemes than Dublin for both central and suburban locations. The

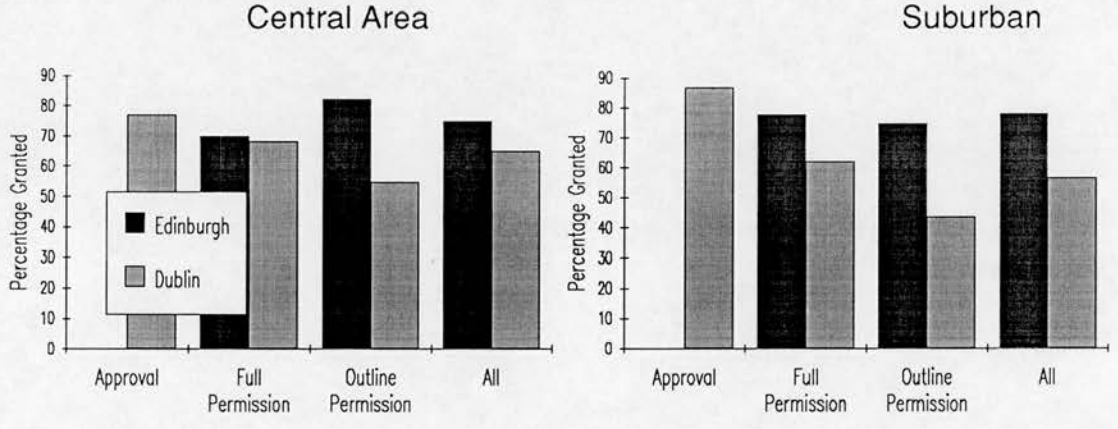
difference, though, is least for central area CUTOO schemes and greatest for suburban NEWO schemes. Overall central area success rates are more similar than those in the suburbs. This reflects the policy divergence between the two planning authorities since Edinburgh was restricting central area office development in favour of decentralisation, while Dublin sought to prevent office encroachment on suburban residential areas.

TABLE 6.5
Final Planning Application Results Classified by Scheme Type and Location

	EDINBURGH				DUBLIN			
	CENTRAL		SUBURBAN		CENTRAL		SUBURBAN	
NEWO	79.5	(79.5)	79.4	(79.4)	72.1	(65.8)	64.4	(60.9)
CUTOO	69.9	(66.9)	76.7	(75.1)	68.3	(61.8)	65.3	(53.4)
CUTON	90.3	(90.3)	84.3	(84.3)	83.8	(82.4)	75	(71.4)
ALL	76.6	(74.9)	78.8	(77.7)	69.5	(65)	64	(56.4)

Note: Figures in brackets are the results before incorporating appeals.

FIGURE 6.18
Percentages of Granted Applications Classified by Permission Type and Location



Previous analysis has indicated that the major differences are between the type of scheme being proposed rather than according to the type of permission, so no maps are presented of full/outline permission decisions. The results have been calculated, though, for the central city / suburban division and these are shown in Figure 6.18. They confirm the pattern of smaller differences between the cities in the central areas than in the suburbs, and also the relatively weak relationship between decisions and location in Edinburgh compared to generally lower success rates in suburban Dublin

than in the centre. The latter is especially true for applications for outline permission, previously noted as tending to be the larger new construction schemes.

4 THE SPATIAL DISTRIBUTION OF OFFICES BY GROSS FLOOR AREA

The results of the analysis of the division of gross floor area between central and suburban locations are given below. Note that given the limitations of the data, the analysis makes use of only those NEWO applications for which areas were available in Dublin, and NEWO and CUTOO applications in Edinburgh.

	Edinburgh	Dublin
City Centre	316,306m^2 (673 per Ha) 55.2%	1,912,176m^2 (2845 per Ha) 81.8%
Suburbs	256,393m^2 or 44.8%	426,628m^2 or 18.2%

In Edinburgh, therefore, 55.2 per cent of the known gross floor area was located in the city centre as compared to the very different result of 81.8 per cent in Dublin. The latter district thus experienced over six times the total area of office applications as in Edinburgh, but for the Dublin suburbs it was less than double. Omitting the CUTOO component in Edinburgh does not have a major impact, reducing the city centre total to 237,434 square metres (52.5 per cent) and the suburban total to 215,239 square metres (47.5 per cent). Thus Dublin city centre experienced over eight times the level of applications for NEWO floor space as Edinburgh. A comparison with the distribution of the numbers of NEWO applications (see Figure 6.14) shows that floor area is rather more centralised than numbers of applications in both cities (thus 52.5 versus 39.3 per cent in Edinburgh and 81.8 versus 68.1 in Dublin).

Maps 6.23 and 6.24 show the distribution of the gross floor area of office planning applications across the central areas. A square proportional to the gross floor area has been drawn on each affected site, with the scale being the same for both. Comparison between Maps 6.23 and 6.5 enables the Edinburgh NEWO and CUTOO sites to be distinguished. Since many planning applications can affect one site and one application can affect many sites, the data have been recalculated according to the following procedure: the gross floor area of each planning application was divided evenly between the total number of sites it affected[9], and for each site the proposed areas were added together. There is thus no double counting of area, but schemes spread over adjacent sites will appear as numerous small proportional squares.

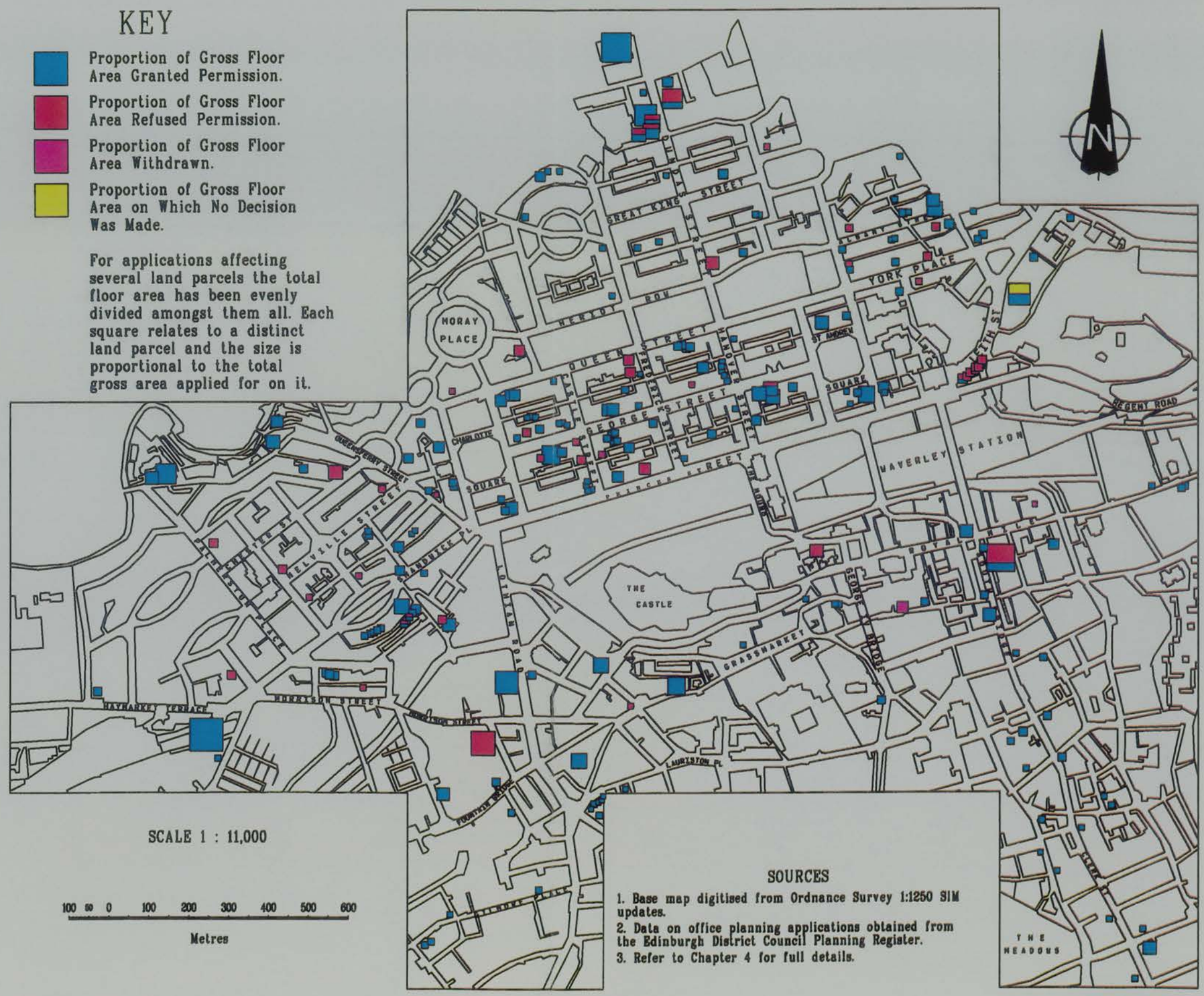
[9]Short of detailed examination of the building plans there was no method of determining the actual proposed division of space across the several sites.

MAP 6.23: Central Edinburgh Decisions on Gross Floor Area (NEWO and CUTOO only)

KEY

- Proportion of Gross Floor Area Granted Permission.
- Proportion of Gross Floor Area Refused Permission.
- Proportion of Gross Floor Area Withdrawn.
- Proportion of Gross Floor Area on Which No Decision Was Made.

For applications affecting several land parcels the total floor area has been evenly divided amongst them all. Each square relates to a distinct land parcel and the size is proportional to the total gross area applied for on it.



SCALE 1 : 11,000

100 50 0 100 200 300 400 500 600

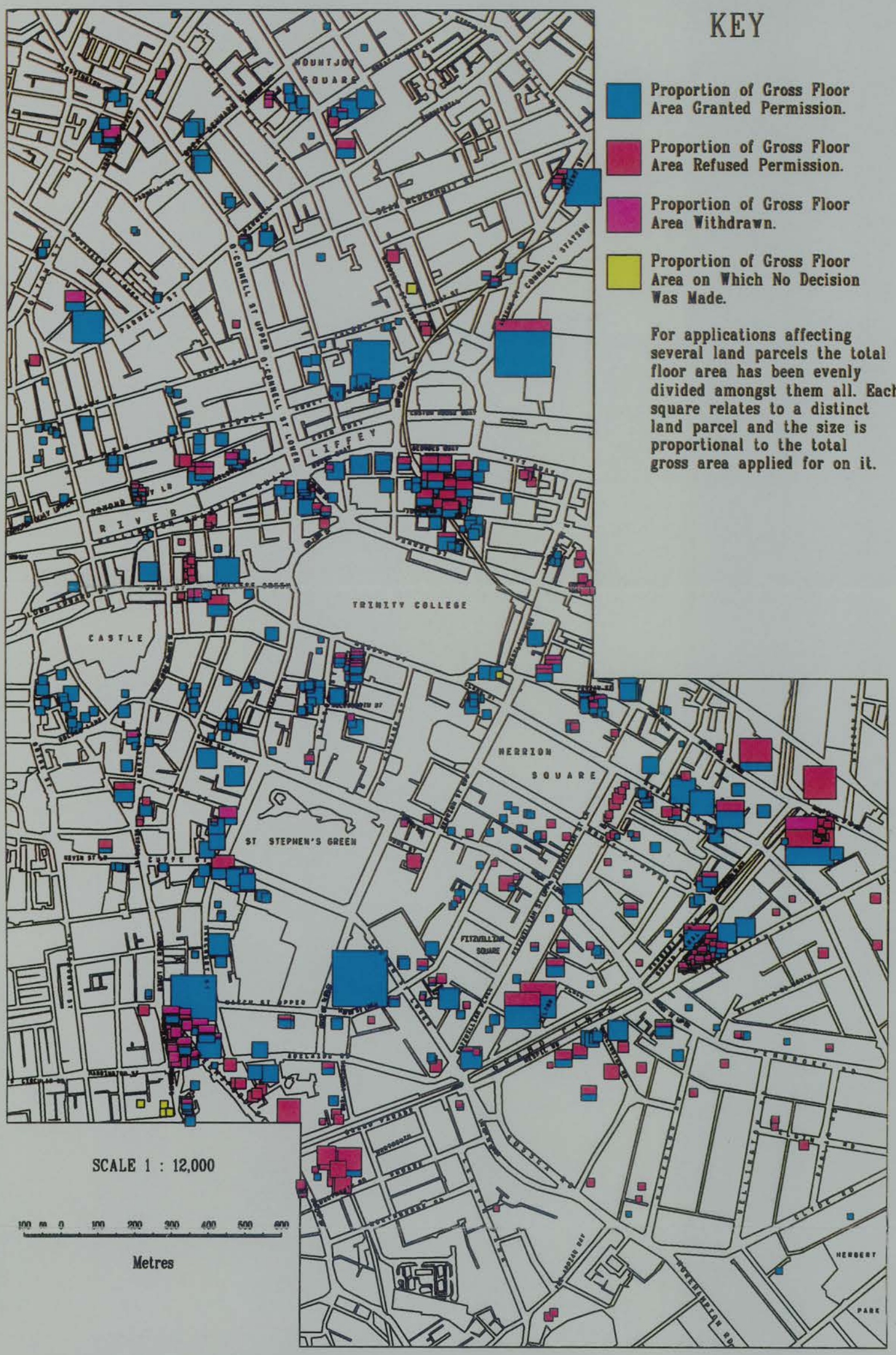
Metres

SOURCES

1. Base map digitised from Ordnance Survey 1:1250 SIM updates.
2. Data on office planning applications obtained from the Edinburgh District Council Planning Register.
3. Refer to Chapter 4 for full details.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.24: Central Dublin Decisions on Gross Floor Area (NEWO only)



KEY

- Proportion of Gross Floor Area Granted Permission.
- Proportion of Gross Floor Area Refused Permission.
- Proportion of Gross Floor Area Withdrawn.
- Proportion of Gross Floor Area on Which No Decision Was Made.

For applications affecting several land parcels the total floor area has been evenly divided amongst them all. Each square relates to a distinct land parcel and the size is proportional to the total gross area applied for on it.

Sources: 1. Base Map digitised from 1:1,000 scale Ordnance Survey of Ireland maps. 2. Planning data from Dublin Corporation Register. 3. See Chapter 4 for full details.
Compiled by Tim Rideout on Arc/Info – Oracle, Department of Geography, Univ. of Edinburgh.

Parts of central Dublin have clearly been far more affected by large office developments than anywhere in central Edinburgh. In fact the only large proposed NEWO developments in Edinburgh have been towards the edge of the city centre or south of the New Town, thus at the north end of Dundas Street, Haymarket Station, Morrison Street/Lothian Road, the Royal Mile and Leith Street. Dublin exhibits a ring-shaped pattern of proposed development running round the Trinity College/St. Stephen's Green/Merrion Square area. Within the core Georgian area (Merrion Square/Fitzwilliam Square/Mount Street Upper) there are a substantial number of NEWO proposals, but they are mostly small and probably represent extensions over the rear gardens or in the mews. The ring of proposed development contains a significant concentration to the north of Trinity College around the Custom House, which includes the largest single application made during the study period for 100,000 square metre of offices in the docklands, and there is also a strong arc running from Harcourt Street in the west along the Grand Canal to Lower Mount Street in the east. It is noteworthy that there has been relatively little pressure on most of the northern side of the Liffey, to the west of a north-south line drawn through the castle, and in the zone south of the immediate vicinity of the Grand Canal.

In terms of the planning decisions made in respect of office floor area, the Edinburgh map shows that there has been a noticeable incidence of refusals. Reference to Maps 6.5 and 6.14, though, shows that a high proportion of these are CUTOO schemes. Only on the Royal Mile and at Morrison Street have particularly large NEWO proposals been refused. Most of the remaining refusals lie in the New Town Georgian area. In Dublin there are many cases of large NEWO schemes being refused, but predominantly south of the river and especially along the Grand Canal. A high proportion of the proposed floor area located south-east of the canal was refused permission, which contrasts with the relative absence of refused area to the north of the River Liffey. It is also interesting that relatively little floor area was refused in the heart of the city centre between the Liffey and St. Stephen's Green (apart from a large development opposite the Custom House). In the Merrion Square/Fitzwilliam Square Georgian district around half the proposed area was refused, while just away from the squares but still in the Georgian part of the city some substantial developments were proposed and mostly approved.

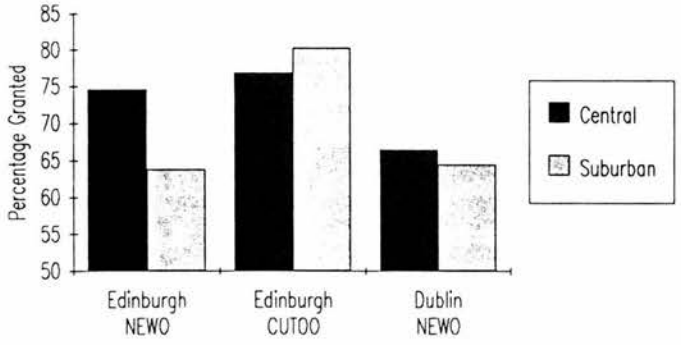
Maps 6.25 and 6.26 show the positions for the entire cities using proportional boxes to represent the gross floor areas proposed in each one square kilometre. The scale used to draw the boxes is the same for both Edinburgh and Dublin, so the diagrams highlight the large absolute difference in the quantity of office space proposed. It is also apparent that the total space is more evenly spread across Edinburgh, than is the

case in Dublin where the central city is strongly dominant. In decision terms the Edinburgh New Town shows the moderate refusal level noted above, while for most suburban squares all the area was approved. The division within the Dublin city centre identified in Map 6.24 shows up clearly in the form of the high level of refused area in the two diagonally adjacent squares along the Grand Canal, compared to the mostly low levels of the remainder of the city centre. Many suburban squares had no proposed area.[10] Of those which did the level of refusal was often quite high in the inner southern suburbs, but elsewhere it was low.

Figure 6.19 shows the proportions of the gross floor area applied for which was granted planning permission for NEWO and CUTOO schemes in Edinburgh and NEWO schemes in Dublin in the city centre and suburban areas. It indicates that the Dublin central city success rate measured by floor area was only a little higher than for the suburbs, but substantially so for NEWO schemes in Edinburgh. This is the reverse of the pattern identified in relation to the number of applications (see the NEWO class in Figure 6.16), which thus indicates that the average floor areas of NEWO applications vary substantially according to both the location and decision.[11] Edinburgh CUTOO schemes, though, exhibit the same pattern as in Figure 6.16, namely a lower success rate in the city centre, but the difference is less pronounced. The average areas will be examined in detail in the next section.

FIGURE 6.19

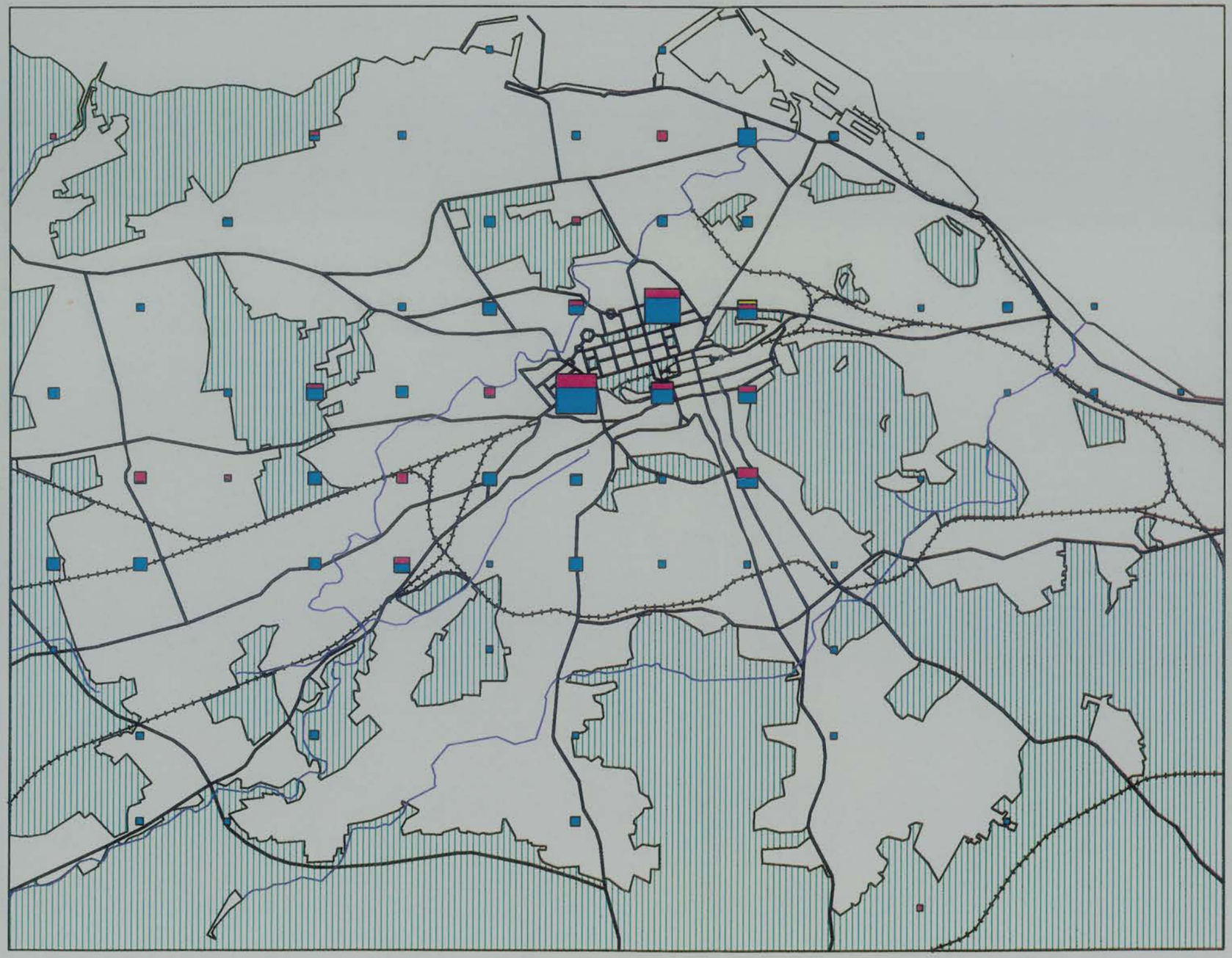
Percentages of Granted Floor Area Classified by Location



[10]Keeping in mind the peripheral areas outside Dublin County Borough.

[11]The possibility that the restricted, but still quite good, availability of floor area data is completely unrepresentative of the overall office development floor area has been discounted.

MAP 6.25: Edinburgh Decisions on Gross Floor Area (NEWO and CUTOO only)



SCALE 1 : 55,000

1 1/2 0 1 2

Kilometres

KEY

- Proportion of Gross Floor Area Granted Permission.
- Proportion of Gross Floor Area Refused Permission.
- Proportion of Gross Floor Area Withdrawn.
- Proportion of Gross Floor Area on Which No Decision Was Made.

Each box is proportional to the total gross floor area applied for in the grid square.

Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

MAP 6.26: Dublin Decisions on Gross Floor Area (NEWO only)

SCALE 1 : 70,000

1 0 1 2

Kilometres

KEY

- Proportion of Gross Floor Area Granted Permission.
- Proportion of Gross Floor Area Refused Permission.
- Proportion of Gross Floor Area Withdrawn.
- Proportion of Gross Floor Area on Which No Decision Was Made.

Each box is proportional to the total gross floor area applied for in the grid square.

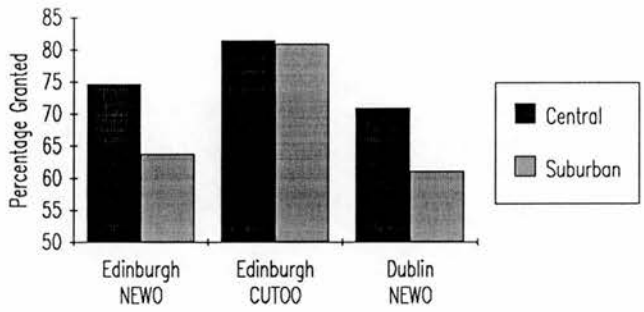
Compiled by Tim Rideout on Arc/Info - Oracle, Department of Geography, University of Edinburgh.

The picture is not complete without examining the appeals. The Edinburgh situation is that twice as much refused suburban NEWO floor area was appealed as in the city centre (34,274 square metres compared to 19,964), but no appeal was granted in either. The area of refused CUTOO schemes subject to appeal was only about a tenth of the NEWO total, but overwhelmingly located in the city centre where 69 per cent of the appealed area was granted compared to 45 per cent in the suburbs. In Dublin some 264,360 square metres of refused central city NEWO floor area was appealed and 34 per cent subsequently granted permission, compared to 15 per cent of the 87,268 square metres appealed in the suburbs. Third Party appeals against grants of permission showed an interesting division. Some 250,655 square metres of office area was appealed in the city centre, but only 1.5 per cent of it was then refused (i.e. the appeals failed in the rest of the cases), whereas almost 47 per cent of the 57,732 square metre appealed area was refused in the suburbs. There is thus a common pattern of normal appeals being more successful in the city centres, while Dublin Third Party appeals against office developments stood little chance of success except in the suburbs, i.e. outside the commercially zoned areas.

Figure 6.20 presents the final proportions of floor area granted planning permission once all the appeals had taken place. It differs to a small extent from Figure 6.19, since the Edinburgh city centre CUTOO success rate is higher and only fractionally different to that in the suburbs. The Dublin central city success rate is significantly higher and thus much closer to the corresponding Edinburgh rate. The Dublin suburban success rate is lower because of the effect of the Third Party appeals, thus the Dublin centre/suburban contrast is substantially increased. The final result, therefore, is a somewhat higher Edinburgh NEWO central area success rate than in Dublin, but for a much smaller total gross area, and a slightly higher NEWO suburban area success rate in Edinburgh than in Dublin (but both lower than in their central cities). Looking at the results slightly differently, 56.3 per cent of the total granted Edinburgh NEWO area was located in the city centre, compared to 83.9 per cent in Dublin. These findings may also be contrasted with those in Table 5.5 for number of applications. The area results for Dublin are almost the same as those for number of applications, but in Edinburgh the percentages are somewhat different. This either reflects the biases thought to be present in the Edinburgh floor area data, or that suburban NEWO schemes granted permission tended to be for the smaller applications, while central area CUTOO grants tended to be for the larger applications.

FIGURE 6.20

Post-Appeal Percentages of Granted Floor Area Classified by Location

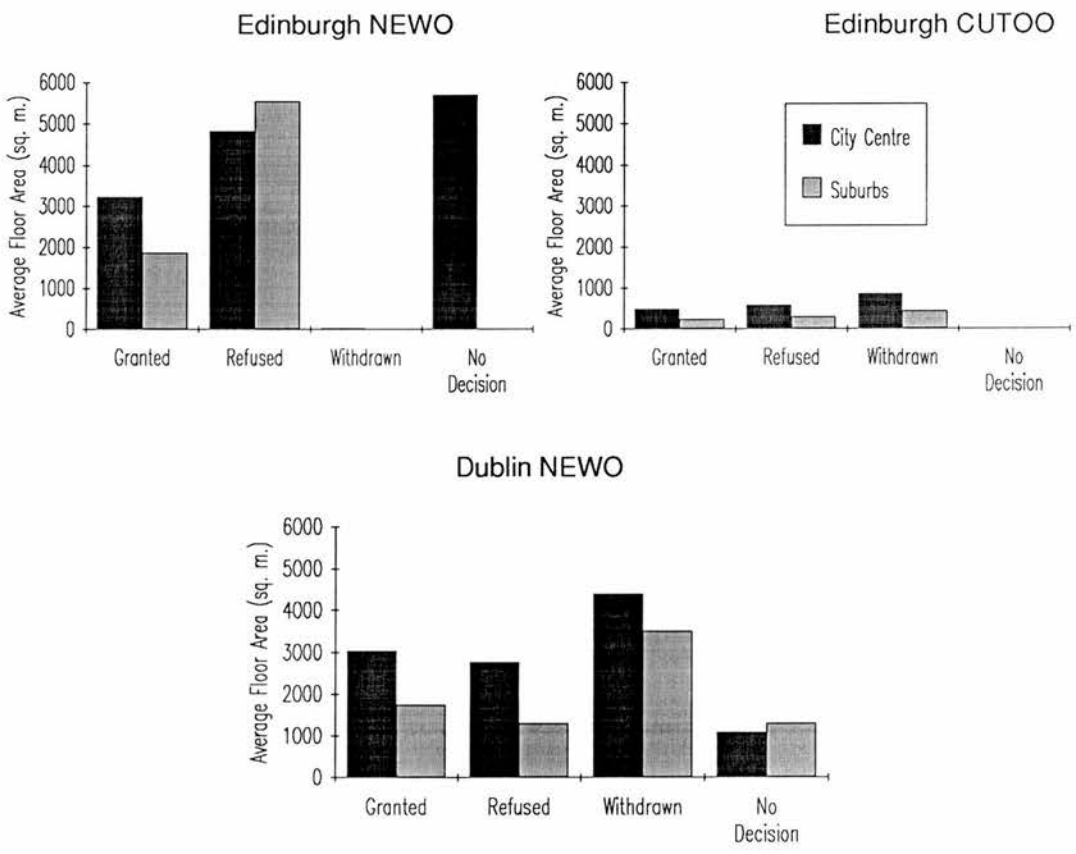


5 THE AVERAGE SIZE OF OFFICE DEVELOPMENTS BY LOCATION

In the previous section it was suggested that the average gross floor area of proposed office developments was significantly different between central and suburban locations, and an examination of Figure 6.21 serves to confirm that this is the case. The scales on the y axes are the same throughout.

FIGURE 6.21

Average Size Classified by Location and Decision



Due to the lack of data in Dublin, it is not possible to compare the average sizes of CUTOO schemes with those in Edinburgh, but within Edinburgh it can be seen that the suburban applications were much smaller than the city centre ones on average. In both zones the refused CUTOO schemes were typically slightly larger than those granted. Edinburgh central area NEWO applications granted planning permission averaged almost twice the size of those in the suburbs. Suburban refused schemes, though, were slightly larger than in the city centre. Both granted and refused central Dublin NEWO applications averaged almost twice the size of those in the suburbs, but in both locations the granted applications averaged slightly larger than those that were refused. In the city centres, granted Dublin NEWO schemes averaged slightly less than in Edinburgh, while the refused schemes were substantially smaller in Dublin. In the suburban areas the granted NEWO schemes were very slightly smaller on average in Dublin, but the refused Dublin schemes averaged only about one quarter the size of those in Edinburgh.

The overall pattern, therefore, is that in Edinburgh all schemes (both NEWO and CUTOO) averaged slightly larger in the city centre than in the suburbs, but not by a great deal, whereas for Dublin NEWO schemes those in the suburbs averaged only half the size of those in the city centre.

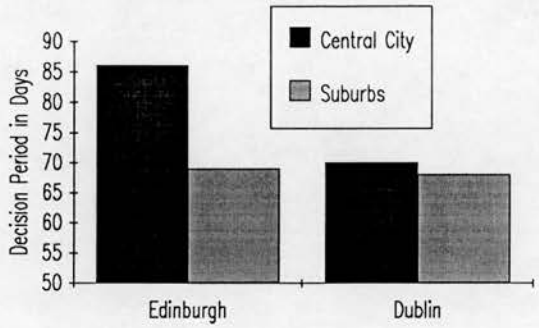
6 VARIATIONS IN THE DECISION PERIODS ACCORDING TO LOCATION

Possible intra-urban variation in the length of time taken to reach a decision on planning applications is considered solely in relation to the city centres as compared to the suburbs. This is because the individual decision periods are highly variable, which would make it difficult to generalise from the maps, and also in the city centres it is not easily possible to distinguish between individual decision periods where multiple applications affect one site.

Figure 6.22 shows that for all office related planning applications[12] there is an interesting contrast between the two zones in Edinburgh, but virtually no difference in Dublin. It took just over two weeks longer, on average, to determine the outcome of central Edinburgh applications as it did in the suburbs, or anywhere in Dublin. Figure 6.23 disaggregates the results further to show the average decision periods for each scheme type in each location.[13] In Dublin, as is to be expected given the statutory limit of two months on the decision period, there is very little difference between the

[12]Including CUTON applications, but excluding Dublin applications affected by the Housing Acts..
[13]Dublin applications affected by the Housing Acts are again excluded.

FIGURE 6.22
Average Decision Periods for All Office Related Applications



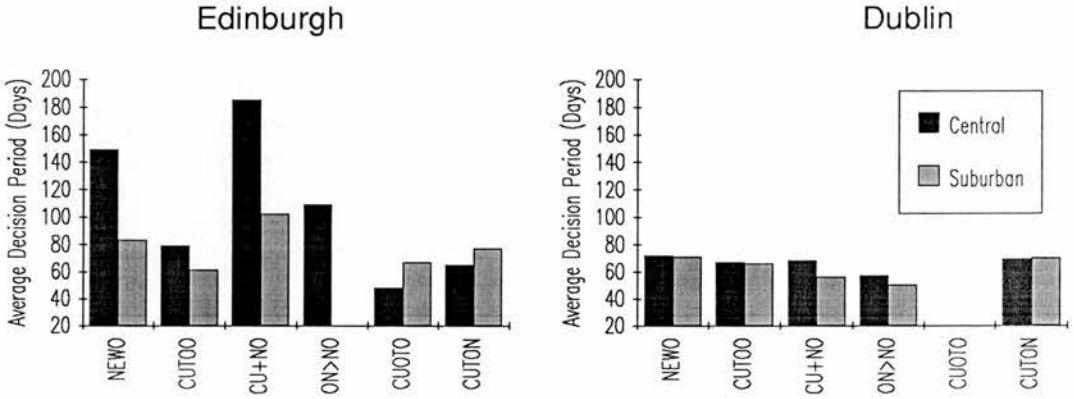
Note: Applications affected by the Housing Acts have been excluded in Dublin.

results, although nonetheless NEWO and CUTOO applications took a day longer each in the city centre than in the suburbs, and NEWO schemes five days longer than CUTOO schemes in both areas. Edinburgh, though, clearly differs strongly from Dublin with major variations in the averages (note that the vertical scales are the same). Developments involving the construction of new office space (NEWO and CU+NO) took the longest by quite substantial amounts. Central city applications averaged longer than suburban ones for all except the numerically insignificant CUOTO class. Central city NEWO and CU+NO applications had decision periods which average over two months longer than such schemes in the suburbs, while the difference was lower at 18 days for CUTOO schemes. Comparing the suburbs in both cities, the differences are not large, at least for the main NEWO, CUTOO and CUTON classes. This is not true in the central cities, though, since central Edinburgh NEWO applications took almost three months longer and CUTOO applications 12 days longer than those in Dublin.

It can thus be concluded that possible extra delays in making planning decisions in Edinburgh as compared to Dublin are typically small for almost all scheme types in the suburbs, but large for NEWO, CU+NO and ON>NO applications and moderately small for CUTOO schemes in the central city. Possible extra delays are thus at their greatest for precisely the location and schemes of greatest interest to commercial property developers.

FIGURE 6.23

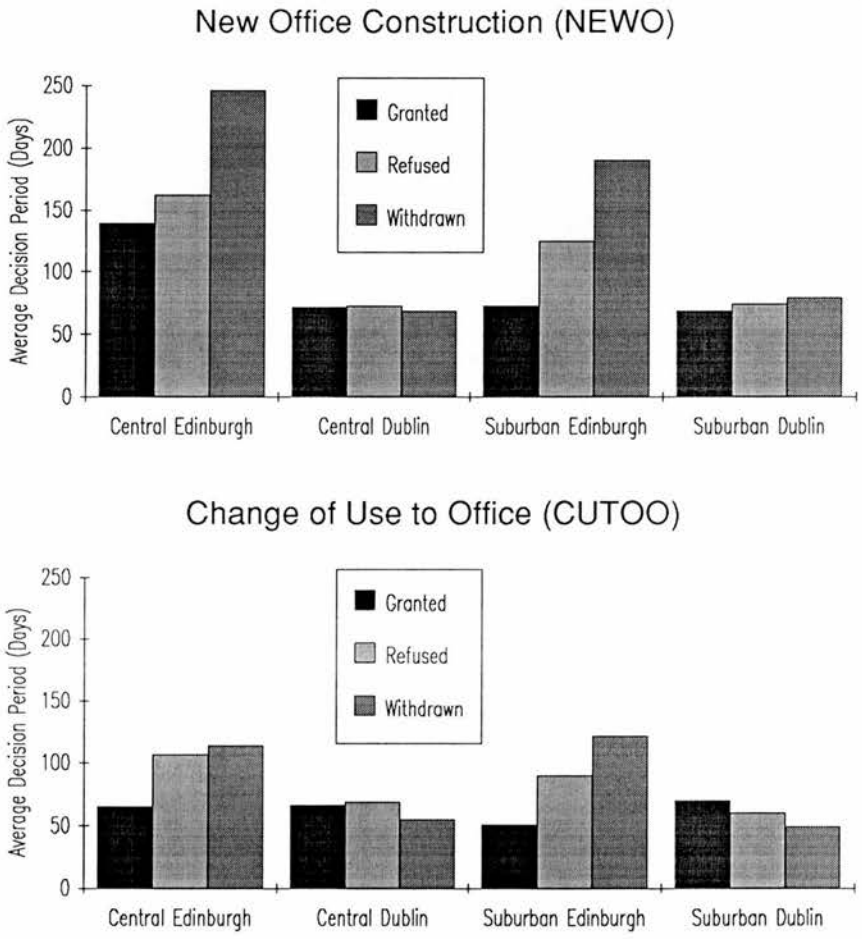
Average Decision Periods for All Office Related Applications by Scheme and Location



Note: Applications affected by the Housing Acts have been excluded in Dublin.

FIGURE 6.24

Average Decision Periods for NEWO and CUTOO Applications by Location and Decision Made



Note: Cases affected by the Housing Acts have been excluded in Dublin.

In Figure 6.24 the main NEWO and CUTOO classes are analysed for variations according to the type of decision made. It now becomes clear that for granted NEWO applications there are no significant differences between all the locations except central Edinburgh, where decisions took substantially longer. Refused NEWO applications took very slightly longer in both Dublin locations compared to those granted, but substantially longer in both Edinburgh locations. Edinburgh refusals took longer than grants for reasons that have already been noted, namely a requirement that the planning sub-committee decision be confirmed by the council, and the fact that applicants could present representations to the sub-committee. For the CUTOO class, applications granted in Edinburgh were actually processed slightly more rapidly in Edinburgh, especially in the suburbs, but again the refused applications took much longer than in Dublin, and especially so in the city centre.

CONCLUSION

In the first half of the chapter, the focus of the analysis was variations between Edinburgh and Dublin during the course of the study period. It was demonstrated that the office sectors have followed very different patterns since Dublin followed a pronounced boom-bust development cycle compared to a fairly steady but much lower level of activity in Edinburgh. In the final years of the study period there was some convergence between the two, but this was essentially a reflection of the onset of a severe property slump in Dublin. It is highly likely that the two cities will have again diverged in the years subsequent to 1985 once the Dublin office cycle started to turn up. While the Edinburgh market did grow strongly in the late 1980s, it is unlikely that it has started to exhibit the same strongly cyclical pattern of planning applications as Dublin exhibited up to 1985.

In the second half of the chapter the intra and inter-urban spatial patterns of office development have been examined. Again, both within and between the two cities there are contrasting patterns of office development. Edinburgh was seen to have had little construction of new offices in the city centre and a large suburban or decentralised component, so leaving much of the historic core only subjected to changes of use. Dublin had most of the new construction located in the centre, so affecting most of the historic Georgian areas, including the small core of listed buildings.

All of the results of both the present chapter and Chapter 5 will be summarised and discussed in Chapter 7 in terms of the objectives of the thesis set out in Chapter 2.

CHAPTER 7

SUMMARY, DISCUSSION AND EXPLANATION OF THE FINDINGS

INTRODUCTION:

The detailed analytical work has now been presented in previous sections. Studies were undertaken of the patterns of office development planning applications in Edinburgh and Dublin at three different levels. These comprised the overall comparison of the full ten year study period in Chapter 5, the year by year temporal analysis and the spatial analysis in Chapter 6. Within these three sections, the analytical work was generally subdivided into the following topics:

1 numbers of applications;
2 applications classified according to type of permission;
3 decisions on planning applications;
4 gross floor areas of office applications;
5 analysis of decision periods;
6 the impact of conservation provisions; and
7 planning conditions and refusal reasons;

but with the last two only covered in detail in Chapter 5.

The detailed analyses, however, are relatively involved, reflecting the volume and complexity of the underlying planning applications and appeals data, and also the fact that two somewhat different study areas are involved. The aim of the present chapter is threefold: firstly to summarise what are considered to be the main points to have arisen in relation to each of the specific hypotheses set out in Chapter 2, and to reach a conclusion on each. Secondly to reach an initial overall conclusion on the general hypothesis that planning and development control has significantly restricted the level of office development and/or increased costs in Edinburgh as compared to Dublin. Finally to consider possible explanations for any unusual, interesting or unexpected results. These explanations require to be taken account of since they might lead to modification of the overall conclusion. Footnotes are used to indicate the sections of Chapters 5 and 6 from which the results and conclusions have been drawn.

SUMMARY OF THE FINDINGS:

Hypothesis A: A lower proportion of applications involving office development were granted planning permission (prior to appeals) in Edinburgh than in Dublin

Overall Dublin was found to have had a proportionately higher level of refusals of planning permission for all office developments than Edinburgh (31.2 versus 21.4 per cent). The gap, however, was a little smaller when Dublin cases subject to the Housing Act were excluded (29.8 versus 21.4 per cent). This was also true for the CUTON development class. Edinburgh did have a slightly higher level of withdrawn applications than Dublin. It was argued that many of these might otherwise have been refused, thus tending to narrow the gap between the cities a little. Figure 5.5, though, clearly showed that for all office developments (excluding CUTON) Edinburgh granted permission for a substantially higher proportion than did Dublin.[1]

Office developments, however, are not homogenous so the data were disaggregated according to the scheme type. The results revealed that for the two largest classes, the difference was marginally greater for NEWO developments (79.5 versus 64.2 per cent) than it was for CUTOO development (71.4 versus 58.2 per cent), but Dublin granted permission for a lower proportion than did Edinburgh in both cases. Only for the numerically small ON>NO scheme type was Edinburgh found to grant permission for a lower proportion of applications than did Dublin.[2] The data were also disaggregated into the type of permission applied for, but again Edinburgh was found to have granted planning permission for a higher proportion of both outline and full permission planning applications than Dublin.[3]

Gross floor areas of office developments were also investigated in detail since size, as well as numbers, is an important factor. Edinburgh was found to have granted planning permission for a higher proportion of office floor area than did Dublin (71.5 versus 66.2 per cent granted). The difference was relatively smaller than that measured in terms of applications. There were, though, some problems in data collection that meant that most Edinburgh withdrawn applications were excluded from the analysis. Had it been possible to include these schemes the Edinburgh percentage granted would have been slightly lower, but almost certainly still greater

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[1] All Chapter 5 section 3.
[2] All Chapter 5 section 4 and Figure 5.11.
[3] All Chapter 5 section 4 and Figure 5.13.

than that in Dublin. Results according to scheme type showed Edinburgh granting a higher proportion of both NEWO and CUTOO area, but the difference was smaller for the former (69.8 versus 66.1 per cent) than the latter (76.9 versus 65 per cent). It should be noted, though, that relatively little CUTOO data was collected in Dublin rendering the latter result somewhat unreliable.[4]

The temporal analysis showed that the proportions of NEWO applications granted planning permission rose over time in both cities, but more strongly in Dublin. This indicated some apparent convergence (Figure 6.4) towards the end of the period. Dublin also had a rising trend in the proportion of CUTOO applications granted permission over time, but there was no correlation in Edinburgh. A convergence in the proportion of full permission applications granted permission towards the end of the period was also found, but not in the case of outline permission applications.[5] Measured in terms of area, Dublin was also found to have had an upward trend over time in the proportion of NEWO area granted permission, again leading to some convergence with the Edinburgh rate towards the end of the period.[6]

The spatial pattern was also examined. It was found that in terms of the proportion of office applications, Dublin granted less than Edinburgh in both the central area and the suburbs. The difference, though, was least in the city centre. Results for each scheme type were considered, but Edinburgh granted permission for a higher proportion of applications of all types, except the small ON>NO class, in both central and suburban areas. Edinburgh's advantage was much greater for all the scheme types in the suburbs, than it was in the city centre, and particularly noticeably for the large CUTOO class.[7] Results measured in terms of office floor area, on the other hand, were found to be somewhat different. Edinburgh granted permission for a substantially higher city centre proportion of NEWO area than did Dublin, but Dublin was fractionally ahead in the suburbs.[8]

The conclusion, therefore, must be that the hypothesis is in most respects not true. Edinburgh would appear to have granted permission for a higher proportion of office development (both in numbers and area) than did Dublin. Dublin was, though, more permissive of the numerically small ON>NO scheme type, and also in terms of the proportion of NEWO floor area in suburban locations that was granted permission.

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[4]All Chapter 5 section 4 and Figure 5.10.
[5]All Chapter 6 first half section 3.
[6]All Chapter 6 first half section 4.
[7]All Chapter 6 second half section 3 and Figure 6.16.
[8]All Chapter 6 second half section 4 and Figure 6.19.

Measured by applications Edinburgh had a greater advantage for NEWO than CUTOO schemes, but spatially the cities were most similar in the centres. Measured by floor area Edinburgh had the greater advantage for CUTOO schemes (but with some qualifications about the data), and for the NEWO class (most of the data), the success rates were most similar in the suburbs.

Hypothesis B: A lower proportion of planning appeals were granted permission in Edinburgh than in Dublin

For all office appeals (excluding CUTON schemes) Dublin was shown in Figure 5.6 to have granted permission for a higher proportion than did Edinburgh. The Dublin picture, though, was complicated by the existence of Third Party appeals against grants of planning permission, but of these only 9 per cent were successful (i.e. overturned the grant of permission). Omitting Third Party appeals reduced, but did not eliminate, Dublin's advantage. Appeals against a refusal of planning permission were considered the most significant, and here Dublin also was found to have a slight advantage (37.4 versus 35.7 per cent granted). The incidence of appeals in Dublin, though, was much the greater, so the results were restated as meaning that some 23.8 per cent of Dublin PA refusals of permission failed to withstand an appeal compared to only 7.9 per cent in Edinburgh. By this measure the Dublin appeals system was clearly much more permissive than Edinburgh.[9] This could also be seen as suggesting that the Dublin PA was attempting to be quite restrictive of office development, to the point where many of its decisions were being over-ruled on appeal.

Results were calculated for each scheme type, which showed that for the most important NEWO class, Dublin was literally infinitely more permissive than Edinburgh. Some 34 per cent of Dublin appeals were successful compared to none in Edinburgh. For the CUTOO class, though, Edinburgh was found to be the more permissive (47.6 versus 41.9 per cent granted), but Dublin was again substantially more permissive of CUTON appeals. Results for application type showed Dublin to be more permissive of both full and outline permission appeals, but especially the latter.[10]

Gross floor areas were examined, and it was found that Dublin was more permissive of appeals when measured in this way. For NEWO appeals, omitting Third Party cases, Dublin was found to have granted 43.8 per cent of the area, compared to none

[9]All Chapter 5 section 3 and Figure 5.6.
[10]All Chapter 5 section 3.

in Edinburgh, but only 37.3 versus 66 per cent of CUTOO area. There was, though, little area data available for Dublin CUTOO schemes.[11]

The temporal analysis revealed a rising appeal success rate over time for both NEWO and CUTOO schemes in Dublin, with no conclusion possible in Edinburgh due to the small number of appeals. There was also a rising success rate over time for both full and outline permission appeals. In consequence, Dublin was increasing its appeal permissiveness relative to the Edinburgh average over the course of the period.[12] In area terms the appeal success rate for NEWO schemes in Dublin also rose over time, again leading to increasing relative appeal permissiveness in Dublin towards the end of the period.[13]

Dublin was shown to have had a higher NEWO appeal success rate in the city centre than in the suburbs in Figure 6.17, making the former area the most permissive of appeals compared to Edinburgh. An Bord Pleanála thus probably gave particular weight to the mostly residential zoning of land outside the city centre. For CUTOO appeals Dublin was more permissive than Edinburgh in the suburbs, but less permissive in the city centre. In terms of NEWO floor area, Dublin granted a higher proportion of appeal area in the city centre (34 per cent) than in the suburbs (15 per cent), but Edinburgh granted none in either (data for appeals against refusals of planning permission). Dublin Third Party appeals were also of some significance in reducing the proportion of NEWO area granted permission in suburban areas (47 per cent of the area appealed refused), but almost irrelevant in the city centre (1.5 per cent of area appealed refused).[14]

To conclude, the Dublin planning appeals system granted permission for a higher proportion of both applications and floor area than was the case in Edinburgh for NEWO schemes of all types and locations, and also for CUTOO schemes outside the city centre. A rising trend over time in Dublin also means that Dublin was tending to increase its relative permissiveness. The hypothesis can thus be substantially accepted.

[11]All Chapter 5 section 4.
[12]Chapter 6 first half section 3.
[13]Chapter 6 first half section 4.
[14]All Chapter 6 second half section 4.

Hypothesis C: The total proportion of applications granted permission after taking appeal results into account was lower in Edinburgh than in Dublin

As a consequence of the more permissive appeals system in Dublin, the final overall gap between the success rates was found to have narrowed to 68.3 (72.2 excluding Dublin Housing Act cases) versus 74.9 per cent, but with Edinburgh still having the higher rate.[15] In terms of scheme type, the results showed that Edinburgh had a greater lead for NEWO applications (79.5 versus 69.6 per cent), than it did for CUTOO applications (73.7 versus 67 per cent). Figure 5.14 showed results according to type of permission, and these showed that Edinburgh had a significantly higher success rate than Dublin for all outline permission applications, for full permission applications with area data (i.e. mostly NEWO schemes), but virtually no difference for full permission applications without area data.[16]

When measured in terms of gross floor area, the results showed the cities to be more similar with 69.2 per cent granted permission in Dublin compared to 72.3 per cent in Edinburgh.[17] Results for the main NEWO and CUTOO scheme types showed virtually no difference in the success rates for the former (69.1 versus 69.8 per cent in Dublin and Edinburgh respectively), but a substantially higher rate for Edinburgh for the latter (66.9 versus 80.1 per cent). It was noted, though, that there was poor coverage of Dublin CUTOO schemes, and also of Edinburgh withdrawn applications. The latter would have tended to slightly reduce the Edinburgh success rates, so it is conceivable that in reality Edinburgh could have had a marginally lower NEWO gross area success rate than Dublin. Edinburgh was also found to have only a small advantage over Dublin for outline permission gross area (62.4 per cent granted compared to 61 per cent), but much greater for full permission applications (80.4 versus 76.4 per cent).[18]

The analysis of trends over time showed that there was a rise over the period in the proportion of Dublin office planning applications granted permission, especially for CUTOO schemes. Of the NEWO and CUTOO classes in Edinburgh only the former showed a similar rising trend. The proportion of Dublin full permission applications that was granted was strongly correlated with time showing a rising trend, but the relationships were weak for outline permission applications, and also for both types in

[15]Chapter 5 section 3 and Table 5.1.
[16]Chapter 5 section 4 and Figure 5.14.
[17]Excluding CUTON schemes.
[18]All Chapter 5 section 4.

Edinburgh. In conjunction with the results in Tables 6.1 and 6.2, this suggests that Dublin has been closing the gap with Edinburgh particularly for CUTOO full permission applications, but possibly with some divergence in the NEWO outline permission class. Indeed, Dublin had both higher CUTOO and full permission success rates than Edinburgh for the final two years of the period (though the cyclical factor must be noted).[19] In terms of gross floor area, the findings showed rising trends in the proportions of Dublin NEWO, full and outline permission space granted permission. There was little trend over time in Edinburgh for either the NEWO or CUTOO scheme type, but moderate tendencies for full and outline permission success rates to rise. The gap between the two would thus again seem to have been narrowing somewhat for the NEWO scheme type. This was confirmed by Tables 6.3 and 6.4 in which Dublin had a higher NEWO success for the final two years, and similar full and outline permission success rates to Edinburgh.[20]

Spatially, the analysis of applications showed the cities to be most similar in their centres, and conversely least similar in the suburbs. The results in Table 6.5 showed that central Dublin had a somewhat lower NEWO success rate than central Edinburgh, but only a marginal difference for CUTOO schemes. The Dublin suburbs, though, had much lower success rates than the corresponding Edinburgh area. For the CUTOO schemes, though, the Irish Housing Act was found to have had a major impact in reducing the success rate. For CUTOO properties unaffected by the Act the central Dublin success rate of 76 per cent was higher than the 69.9 per cent in Edinburgh, with only a marginal difference in the suburbs.[21] In area terms and for NEWO schemes, Figure 6.20 showed that the cities had quite similar success rates in the centres (Edinburgh somewhat higher), and lower but again similar in the suburbs (Edinburgh slightly ahead).

To conclude, therefore, because of the more permissive appeals system in Dublin, the overall final difference between the cities was narrowed, but Edinburgh was still granting permission for a higher proportion of both applications and area. There were, though, some areas where there was very little difference between the two, such as for the area of outline permission applications that was approved. There were also some situations in which Edinburgh was less permissive than Dublin, such as for city centre CUTOO schemes not covered by the Irish Housing Act. Nevertheless, the hypothesis would appear to be substantially disproven.

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[19]Chapter 6 first half section 3.
[20]Chapter 6 first half section 4.
[21]Chapter 6 second half section 3.

Hypothesis D: The average size, measured in terms of gross floor area, of Edinburgh office developments was smaller than that in Dublin.

There were various deficiencies in the coverage of gross floor area data, but for all those schemes for which floor areas were available, and excluding CUTON schemes, the average size in Dublin was found to be 2,457 square metres compared to 1,196 in Edinburgh. For CUTON schemes the corresponding results were 1,000 versus 426 square metres. These results, however, are somewhat misleading. Adequate coverage of Dublin planning applications was only obtained for NEWO schemes, and the relatively small CU+NO scheme class. The Edinburgh data was more evenly spread across all the scheme types. Taking just the NEWO and CUTOO classes, Dublin averaged 2,631 square metres for the former versus 2,890 in Edinburgh, and 633 square metres versus 373 for the latter. Edinburgh NEWO schemes would thus appear to be slightly larger, but the CUTOO schemes somewhat smaller than those in Dublin. The data, though, had rather different distributions, as was shown in Figure 5.9. The evidence suggested that small schemes were under-represented in the Edinburgh data, compared to Dublin where it was thought very little systematic bias was present. The effect would be to significantly increase the apparent average size of Edinburgh schemes relative to their Dublin equivalents. Given the rather small difference for the NEWO class, it could therefore be the case that Edinburgh schemes were actually slightly smaller than those in Dublin if it had been possible to obtain a full data set. The maximum size of NEWO scheme in Dublin at 80,000 square metres was also over two and a half times the size of the largest in Edinburgh (29,828), and Dublin had a sizeable number of proposed developments that were larger than anything in Edinburgh. For those applications with area data subject to an appeal, it was found that the average appealed area in Dublin was 1,323 square metres versus 2,793 in Edinburgh (for appeals by the applicants excluding CUTON applications). Dublin appeals by Third Parties against a grant of planning permission averaged 5,242 square metres.[22]

Once the appeals had been taken into account, Table 5.2 showed that average sizes varied considerably according to both scheme type and decision. Withdrawn NEWO applications were the largest on average in Dublin, but there was very little data available for the group in Edinburgh. Granted NEWO schemes were slightly larger in Dublin than Edinburgh (2,589 compared to 2,425 square metres), but refused NEWO schemes in Dublin were under half the average size of those in Edinburgh (2,487

[22]All Chapter 5 section 4.

compared to 5,226 square metres). Change of use to office schemes, both granted and refused, were found to be substantially smaller on average in Edinburgh than Dublin, but the Dublin data was very limited. In Table 5.3 the post-appeal averages were presented classified according to the type of permission applied for. Here it became clear that Edinburgh outline permission applications, especially those refused permission, were larger than those in Dublin, but full permission applications, whether granted or refused, averaged less than half the size in Edinburgh of their Dublin counterparts. This is, though, partly a reflection of the greater preponderance of CUTOO schemes in the former. Dublin withdrawn applications were typically very substantial.[23]

The temporal analysis revealed a pronounced decline over time in the average size of Edinburgh NEWO schemes. Dublin also showed a falling trend, but this was probably a feature of the property slump in the final two years. Thus, as was seen in Figure 6.9, Dublin NEWO schemes were larger than those in Edinburgh for the majority of the study period. This was also true in respect of granted NEWO schemes, but prior to 1982 Edinburgh refused NEWO schemes were larger on average than their Dublin counterparts. Overall, the NEWO averages showed signs of a convergence towards the end of the period. Figure 6.10 showed that Edinburgh full and outline permission applications also exhibited quite consistent downwards trends in average size, but this was only evident in Dublin for full permission applications in the last two years. Overall, outline permission applications fluctuated between being larger in Edinburgh in the early years, and mostly larger in Dublin in the middle and later years. Full permission applications were generally substantially larger in Dublin, except in the first and last years (but bear in mind the higher CUTOO content in Edinburgh).[24]

The spatial analysis showed that average scheme sizes varied between city centre and suburban locations, as was evident from Figure 6.21. Overall Edinburgh NEWO schemes were somewhat larger in the suburbs (2,446 versus 1,673 square metres) than those in Dublin, while there was relatively little difference in the city centres. There were, though, further differences between granted, refused, and withdrawn scheme sizes depending on their location. Granted NEWO schemes were only slightly larger in central Edinburgh than in central Dublin, but refused central Edinburgh schemes were over one and a half times the size of those in Dublin. Central Dublin withdrawn NEWO schemes were substantial in size, but there was little such data available in Edinburgh. The pattern was similar in the suburbs with little difference in average

[23] All Chapter 5 section 4.
[24] All Chapter 6 first half section 5.

size between granted NEWO applications (slightly larger in Edinburgh), but a major difference for refused and withdrawn applications (the former around four times larger in Edinburgh, the latter very large in Dublin).[25]

To conclude, the overall figures suggest that the hypothesis is true, but this would be misleading due to the greater preponderance of NEWO schemes in the Dublin data. When comparing like with like in so far as this was possible, the hypothesis did not hold for NEWO applications, but did for CUTOO. It was pointed out, though, that there was a possibility of bias in the data, with some evidence suggesting an under representation of small schemes in the Edinburgh data. Dublin certainly had by far the largest individual planning applications. The more detailed analysis showed that there were further variations, in that the hypothesis held for granted and withdrawn NEWO schemes, but not for those refused permission, and also held for granted and refused CUTOO schemes. The hypothesis did not hold for outline planning applications, but did for full permission applications. There were also temporal variations that meant that the hypothesis held for NEWO schemes for the majority of the study period, with some convergence at the end. Spatial variations meant that the hypothesis did not hold for NEWO schemes in the suburbs, but the results were very close in the city centres. The hypothesis clearly failed in respect of refused NEWO applications in all locations.

The picture is thus complex, but there is no clear conclusion as to the overall validity of the hypothesis. It holds in certain cases, but not in others.

Hypothesis E: Planning applications and appeals have taken longer to process in Edinburgh than in Dublin

Concern over delays in the planning process has been one of the major issues in the UK, but the overall result showed that Dublin was only 9.9 days faster than Edinburgh for all office development applications and only one day faster for CUTON applications. This was despite the Dublin planning authorities being constrained by a statutory two month decision period, as some have suggested should be adopted in the UK (refer to Chapters 1 to 3). Results for individual scheme types in Table 5.4, though, showed that there were more significant differences for NEWO,

[25]Note that the finding that Edinburgh had larger suburban and city centre NEWO granted schemes than Dublin, is not incompatible with the finding above that all Dublin NEWO grants together averaged slightly larger than all those in Edinburgh. This is because the proportion of schemes in each location and the average sizes in these locations varied substantially between the cities.

CU+NO and ON>NO schemes, but a smaller difference for the CUTOO class. Edinburgh decisions still took longer on average for all scheme types, though. Apart from the numerically very small ON>NO class, the greatest differences were thus for scheme types that involved the construction of new office space, and the least for changes of use. The table further showed, though, that it was Edinburgh refused and withdrawn applications that took substantially longer than their Dublin counterparts. Edinburgh grants of planning permission were actually issued one third of a day faster on average than those in Dublin. A further breakdown for the two largest classes (NEWO and CUTOO) showed that granted, refused and withdrawn NEWO applications all took significantly longer than their Dublin counterparts. CUTOO grants of permission, however, averaged ten days less in Edinburgh than Dublin, but refusals and withdrawals took substantially longer.

The results in Table 5.5 were also found to reflect the fact that delays in Edinburgh particularly affected new construction applications. Outline permission applications, mostly for NEWO schemes, averaged nearly two months longer in Edinburgh, while full permission applications only averaged less than seven days longer. Again, though, it was especially refused and withdrawn applications in Edinburgh that experienced the delays. Granted full permission Edinburgh applications were actually found to have gone through an average of five days faster than in Dublin, but granted outline permission applications were around 40 days slower in Edinburgh than Dublin. Full permission Edinburgh refusals took about 38 days longer than in Dublin, but outline permission refusals took around 75 days longer.[26]

Averages, though, were found not to tell the full story. Figure 5.15 showed that almost all Dublin decisions took between 41 and 70 days (excluding Housing Act cases). Edinburgh, though, was shown to have a much greater range of decision periods. Thus over 50.6 per cent of Edinburgh applications took over 60 days compared to just 15.4 per cent in Dublin, but on the other hand 40.6 per cent took 50 days or less compared to just 10.5 per cent in Dublin. In Edinburgh, therefore, a substantial number of applications were processed faster than in Dublin, but a somewhat larger proportion were processed significantly more slowly.

In terms of planning appeals, the position was found to be very clear. Table 5.6 showed that all the scheme types had longer appeal decision periods in Edinburgh than Dublin, with the two main classes (NEWO and CUTOO) being around five

[26]All Chapter 5 section .

months slower. For the appealed cases the combination of a longer DPA decision period and longer appeal decision period meant that the total Edinburgh decision periods were much greater than Dublin, with around 70 to 80 per cent due to the appeal.[27]

The temporal analysis showed, in Figure 6.11, that the average Edinburgh NEWO and CUTON decision periods have tended to lengthen over time, but with little change for CUTOO schemes. Dublin also showed a slight rising trend, but it was less consistent. The result, therefore, has been that the length of the decision periods has tended to diverge between the two cities. Figure 6.12 showed that average decision periods were consistently longer in Edinburgh than Dublin for all except granted CUTOO schemes (out of the NEWO and CUTOO scheme types) where Edinburgh was faster. The gradual divergence in the decision periods was clearly apparent in the figure for the NEWO class.[28]

The spatial analysis showed that there was very little difference in Dublin between decision periods in central as opposed to suburban locations. Figures 6.22 and 6.23, though, showed that this was not true in Edinburgh. City centre planning applications had two week longer decision periods on average than suburban ones. For the NEWO and CU+NO scheme types, both involving new construction work, decision periods were substantially longer in central as opposed to suburban Edinburgh. All averaged longer than in Dublin, but in the case of the central Edinburgh NEWO and CU+NO applications the extra delays were around 80 days for the former and 110 for the latter. Figure 6.24 showed that decision periods for grants of permission for NEWO schemes were very similar throughout, except in central Edinburgh where they took substantially longer. All Edinburgh refusals of permission for NEWO schemes averaged longer periods than those in Dublin. Grants of CUTOO permission were quite similar except in suburban Dublin where they took a little longer on average. Thus suburban grants of CUTOO permission were actually processed noticeably more rapidly in Edinburgh than in Dublin. Regardless of location Edinburgh refusals took longer on average than those in Dublin.[29]

To sum up, therefore, at the broad level Edinburgh planning decisions took longer to make than did those in Dublin, but the difference was relatively small and less than expected. It was also complicated by the fact that all Dublin planning decisions do not

[27]All Chapter 5 section 5.
[28]All Chapter 6 first half section 6.
[29]All Chapter 6 second half section 6.

become final until the expiry of the three week period available for Third Parties to lodge an appeal. Edinburgh decisions affecting Listed Buildings, though, are subject to the decision being approved by the Secretary of State.[30] Once decision periods were investigated in greater detail, however, it became clear that while almost all Dublin applications took near to the statutory decision period (excluding Housing Act cases), Edinburgh was highly variable. Certain classes, especially involving the construction of new office space, were characterised by quite substantial delays compared to Dublin, and further that it was city centre locations and/or refused or withdrawn applications where the longest delays occurred on average. To some extent this was counterbalanced by CUTOO applications taking close to the Dublin decision period, and in the case of granted and/or suburban applications actually being processed faster than was the case in Dublin. It was also noted that despite pressure from the state to accelerate planning decisions in the UK, if anything the opposite has tended to occur leading to a slight divergence from the Dublin pattern. In the case of appeals the position was fairly clear that the time taken was substantially longer in Edinburgh than in Dublin. Thus in appealed cases the total decision periods were even longer still in Edinburgh on average. This is perhaps rather ironic since the UK appeals system is the one area directly under the control of a central government committed, since 1979, to tackling delay.

On balance, therefore, the hypothesis is upheld, but masks important variations in the case of decisions by the Planning Authorities. Whereas Dublin decision periods are quite fixed, those in Edinburgh vary considerably according to the type of scheme, the decision and the location (but the analysis also showed that the decision period was at best weakly related to the gross floor area of the development). Thus a considerable minority of Edinburgh applications were actually processed more rapidly than was the case in Dublin. The cost implications are variable, but are potentially substantial for the larger Edinburgh NEWO developments or Edinburgh applications subject to appeals.

Hypothesis F: The location pattern of proposed office developments in Edinburgh was significantly different to that in Dublin, principally with a more decentralised distribution in the former

[30]Refer to Chapter 3 for full details.

Some aspects of the spatial pattern have been covered in the foregoing sections, and may be repeated in the following discussion that summarises the results set out in Chapter 6 part 2.

Maps 6.1 through 6.4 showed two clear differences between Edinburgh and Dublin. Firstly a significantly greater proportion of central Dublin had been subjected to an office planning application than was the case in the Edinburgh (1.8 applications per hectare versus 1.07). Secondly Dublin was found to show considerably the greater relative concentration on the city centre (62.3 versus 47.2 per cent of applications were so sited).[31] Edinburgh planning appeals were found to be significantly more centralised than planning applications so there was little difference between the cities (62.3 versus 59.9 per cent of appeals located in central Edinburgh and central Dublin respectively). Maps 6.5 and 6.6 showed that Dublin city centre was largely dominated by NEWO applications whereas central Edinburgh contained very few, except on certain gap sites. Indeed much of the most historic part of central Edinburgh had had no proposed NEWO developments. In Dublin even the prime Georgian area around Merrion and Fitzwilliam Squares contained significant numbers of NEWO applications. Overall, therefore, central Dublin was found to have recorded 1.01 NEWO planning applications per hectare compared to only 0.19 in Edinburgh. In partial compensation, though, CUTOO schemes were slightly more common in Edinburgh (0.84 compared to 0.74 per hectare). The results in Figure 6.14 showed that the contrast in relative centralisation was greater for NEWO schemes (68 versus 39 per cent in the city centres in Dublin and Edinburgh respectively) than for either the CUTOO or CUTON scheme types.[32]

Maps 6.9 through 6.12 showed that central Dublin had been subjected to a higher absolute and relative number of applications for outline planning permission than Edinburgh (0.27 per hectare compared to 0.06). Greater centralisation in Dublin applied to both full and outline permission application types. The contrast with Edinburgh was found to have been greatest for outline permission applications where only 37.3 per cent were located in central Edinburgh. This is considered to be very significant as these were also often the largest and most speculative developments, and thus of great importance to the office development industry.[33] It suggests that the focus of the larger scale commercial and/or speculative office developments has to a considerable extent moved away from the city centre in Edinburgh. This might be

[31]But note that administrative under-bounding in Dublin somewhat exaggerates the difference.
[32]All Chapter 6 part 2 section 1.
[33]All Chapter 6 part 2 section 2.

because of restrictive planning policies in the city centre, trends towards suburbanisation or a combination of the two. This pattern has clearly not happened in Dublin, and indeed has been opposed by planning policies in so far as possible (though developers could move outside the legal city boundary).

Maps 6.13 and 6.15 showed that the differences between central Edinburgh and Dublin were maintained at the post-decision stage. Central Dublin recorded 0.66 grants of NEWO planning permission per hectare compared to 0.15 in Edinburgh. Although Dublin had a somewhat the lower success rate, the maps showed that because of multiple applications per site the majority of central area plots affected by NEWO applications had recorded at least one grant of permission. Only in the Merrion/Fitzwilliam Squares Conservation Area was there a noticeable spread of refusals. Most central Edinburgh NEWO applications were granted permission, but there were very few of them. Maps 6.14 and 6.16 indicated that the cities were much more similar in terms of decisions on CUTOO applications. Central Dublin recorded 0.46 grants per hectare compared to 0.56 in Edinburgh. Refusals were quite common in the historic parts of Edinburgh, but not in Dublin. In the latter, refusals were only of significance on the southern limit of the city centre where office uses were attempting to expand into a high quality Victorian residentially zoned area. Maps 6.17 and 6.18 showed that for the cities as a whole Dublin had had relatively high NEWO refusal levels in the centre, but only south of the River Liffey, compared to Edinburgh. On the other hand central Edinburgh had had a relatively high refusal rate for CUTOO schemes compared to Dublin except for the small area around the Grand Canal.

Figure 6.16 showed graphically that the cities were most similar in their centres and least so in the suburbs, so far as numerical success rates were concerned. Central Edinburgh had slightly higher rates than central Dublin for most scheme types, but whereas rates in suburban Edinburgh were higher than in the city centre, the opposite was true in Dublin. As a consequence suburban Edinburgh success rates were substantially higher than those in Dublin. Some 39.3 per cent of granted NEWO schemes in Edinburgh were centrally located compared to 69.8 in Dublin, with corresponding figures of 42.5 and 60.4 per cent for CUTOO schemes.

On the appeals front, Maps 6.19 and 6.20 showed that there were virtually no NEWO central Edinburgh appeals. This was in stark contrast to the position in Dublin where such appeals were numerous. In Dublin many NEWO appeals affected large city centre sites (clearly involving major commercial development projects), especially south of the River Liffey. The fact that there were 0.3 NEWO appeals per hectare, of

which 0.16 per hectare succeeded, in central Dublin compared to less than 0.01 in Edinburgh illustrates the sharp difference. Edinburgh CUTOO appeals were more common, but only a sprinkling across the map was successful. Dublin CUTOO appeals were concentrated around the Grand Canal area. Although closer together, Dublin still recorded 0.17 appeals per hectare (0.07 successful) compared to 0.07 (0.03 successful) in central Edinburgh. Maps 6.21 and 6.22 showed that unlike planning applications, the appeals were concentrated in the city centres in both cities. Dublin appeal refusal levels were noticeably higher in the centre south of the Liffey and in the suburbs. Figure 6.17 showed graphically that in general there was little spatial difference between the two cities in appeal success rates. For individual scheme types, though, Edinburgh CUTOO were slightly more successful in the centre, but the reverse in Dublin and to a much greater extent. Dublin NEWO appeals were found to have been much more likely to succeed in the city centre than in the suburbs, while Third Party appeals were found only to have had a significant success level in the suburbs (success being the reversal of a grant of planning permission). In Edinburgh it was found that a refused planning application was up to twice as likely to be appealed if centrally sited than if situated in the suburbs, but in Dublin the likelihood of an appeal was found to be unrelated to central/suburban location. Notable, though, was the contrast between the Dublin appeal incidence of around 65 per cent of refused applications against the 11 to 25 per cent levels of Edinburgh.

Table 6.5 showed that the final outcome after appeals did not materially change the finding that Edinburgh and Dublin had quite similar planning application success rates in the city centres, but quite different in the suburbs. Figure 6.18 showed that one of the greatest contrasts was for outline planning applications where the Edinburgh suburban success rate of around 75 per cent contrasted with less than 45 per cent in Dublin, indicating that not only were there a substantially greater proportion of the larger more speculative NEWO schemes located outside the centre in Edinburgh, but also that they were much more likely to be approved than in Dublin.[34]

In area terms it was found that some 1.912 million square metres of known proposed gross floor area was situated in central Dublin compared to 316,306 in central Edinburgh, or alternatively 2,845 square metres per hectare versus 673. The difference was less in the suburbs at 426,628 square metres in Dublin compared to

[34] All Chapter 6 part 2 section 3.

256,393 in Edinburgh.[35] Thus some 55.2 per cent of Edinburgh known proposed NEWO area was centrally situated compared to 81.8 per cent in Dublin. Floor area was thus found to be more concentrated in the city centres than applications.

Maps 6.23 and 6.24 showed that much of central Dublin had been far more extensively affected by large proposed NEWO developments than anywhere in central Edinburgh. In the latter the larger schemes had actually been effectively limited to the edges of the city centre. In Dublin there was also a ring of proposed redevelopment, but it was much more intensive and tightly drawn around the Trinity College, St. Stephen's Green and Merrion/Fitzwilliam Squares historic area. Unlike Edinburgh, Dublin had sizeable numbers of NEWO schemes within the Georgian area, but they were mostly small and probably extensions or back green developments. Maps 6.25 and 6.26 also showed the large absolute differences between the two cities. They also showed, though, how proposed area in Edinburgh was more dispersed than in Dublin, but with moderately high refusal levels in the Georgian New Town. In Dublin gross area refusal levels were generally quite low, but high in the city centre south of the River Liffey and in the inner southern suburbs. Figure 6.19 illustrated that Edinburgh decisions on NEWO gross area were weighted towards favouring the city centre, but not in the case of CUTOO where policies to protect central area residential use gave the city centre the lower success rate. Dublin NEWO gross area success rates were marginally higher in the city centre than the suburbs.

Appeals by developers measured in terms of gross area were found to be more likely to succeed in the city centres than in the suburbs in both cities.[36] Dublin Third Party appeals were shown to have achieved little except in the suburbs. Figure 6.20 showed that at the end of the process NEWO area was more likely to be approved in the city centres in both cities. The success rates for both central and suburban NEWO floor area in Edinburgh were slightly higher than in Dublin. Some 56.3 per cent of granted Edinburgh NEWO gross floor area was centrally located compared to 83.9 per cent in Dublin.[37]

Average sizes of developments were found to vary according to location. Figure 6.21 showed that in Dublin city centre NEWO schemes averaged around twice the size of

[35]The figures are for both NEWO and CUTOO schemes. Considering only NEWO schemes did not materially change the result.
[36]But no Edinburgh NEWO appeals were granted in either location.
[37]All Chapter 6 part 2 section 4.

those in the suburbs, but in Edinburgh they were only slightly larger. Indeed suburban refused schemes in Edinburgh were larger than their central area counterparts.[38] Decision periods also varied to a limited extent. Figure 6.22 showed that the statutory time limit in Dublin resulted in very little spatial variation, but in Edinburgh central city applications took two weeks longer to process on average than either those in the suburbs or anywhere in Dublin. Figure 6.23 showed that in Dublin there was again very little spatial variation in decision periods for any of the scheme types. The same was not true in Edinburgh where those involving new office construction (NEWO and CU+NO) were found to take substantially longer in the city centre where the average periods were also much longer than in Dublin. The further results in Figure 6.24 showed that grants of permission took much the same time in either city in any location except central Edinburgh where they took substantially the longest. Refused and withdrawn applications averaged significantly longer in either Edinburgh location than in Dublin.

To conclude, therefore, the hypothesis must be accepted since the spatial patterns were shown to be substantially different. Edinburgh had a more dispersed pattern of development, particularly for the most important NEWO scheme type, with both numbers of applications and gross floor area significantly less concentrated in the city centre than was the case in Dublin. Unlike Dublin a substantial number of large Edinburgh developments were peripherally located, both on the edge of the city centre and the edge of the city as a whole. Much lower densities of applications were recorded in central Edinburgh than in central Dublin (especially for NEWO schemes) so that the general impact in Edinburgh must have been very substantially less. Indeed much of the historic area of Edinburgh was found to have been largely unaffected by NEWO development, but nowhere was this true in Dublin. Planning decisions appeared largely to reinforce the differences with Edinburgh favouring decentralised schemes, while Dublin discouraged suburban developments and encroachment on the inner suburbs. This extended to appeals where An Bord Pleanála was much less likely to grant permission for suburban NEWO developer appeals, and to accept suburban Third Party appeals.

To sum up, Edinburgh was more decentralised, had larger decentralised applications, favoured decentralised applications (but to a lesser extent in terms of gross area), had a city centre both absolutely and relatively less affected by NEWO development, had

[38]All Chapter 6 part 2 section 5.

its more historic areas little affected by new office construction, and imposed considerable delays on central area developments compared to Dublin.

The different spatial patterns have substantial implications for the overall thesis, since the overall statistics for Edinburgh mask a pattern of restriction in the city centre and relative permissiveness outside (or at least in designated locations). Developers do thus have some choice. Since the end of the study period office development in Edinburgh has accelerated outside the traditional core, especially on former railway land between Lothian Road and Morrison Street and at South Gyle adjacent to the new ring road. Increasingly, developers desires have converged with the planners' policies as trends towards suburbanisation evident elsewhere have established themselves

Hypothesis G: Planning conditions have been more widely used in Edinburgh, and were of a more onerous type than was the case in Dublin

In the event, exactly the same proportion of granted planning applications were made subject to one or more planning conditions, namely 47.7 per cent.[39] It was shown, however, in Figure 5.18 that the majority of Edinburgh scheme types were granted permission subject to a greater number of conditions than was the case in Dublin. This varied from four to five times in the case of CUTON, to double for NEWO and CU+NO, and even slightly less in the case of CUTOO. It would be easy to conclude that, especially for the important scheme types involving new construction, the hypothesis is true, but planning conditions are far from standard and vary greatly in their importance. Almost one seventh of those in Edinburgh, for example, related to obtaining the Secretary of State's approval for development involving a Listed Building, something usually granted relatively quickly. Attempting to compare the conditions between the two cities is inevitably imprecise and subjective, but it did appear from Figure 5.19 that there were notable differences in the types of conditions employed. Thus half of Edinburgh conditions were classed as matters requiring the further approval of the DPA, and almost a quarter as being time limits of various types. The time limits were of some interest since these included 54 temporary consents (excluding CUTON schemes). Some of these consents were for quite short periods, and had these been refused permission or treated as a delayed refusal the effect would have been sufficient to equalise the overall planning decision success rates between the two cities. The further approval and time limits classes in Dublin

[39]Leaving aside the standard Dublin conditions - refer to Chapter 4.

accounted for less than one fifth of the recorded conditions, with the largest classes being restrictions on use and design. The conservation conditions class was also rather larger in Dublin than in Edinburgh. In view of this and consideration of the conditions themselves (see Appendix 2), it was concluded that Dublin conditions appeared to be somewhat the more onerous on average for property developers.[40]

Thus the results suggest that the hypothesis is true in so far as a greater number of conditions were recorded for most scheme types in Edinburgh, particularly on those involving new construction, but not true in that the actual conditions appeared more onerous on average in Dublin.

Hypothesis H: Building conservation provisions have been more pervasive and had a greater effect in Edinburgh than in Dublin

In terms of Listed Buildings, the findings showed that 41.3 per cent of Edinburgh applications affected these compared to only 25.5 per cent in Dublin (excluding CUTON applications). The data in Figure 5.16 illustrated that in terms of decisions Edinburgh had a progression from the lowest success rate for the most strongly protected A Listed Buildings through to the highest success rate for applications not affecting Listed Buildings. This was not the case in Dublin, since the highest success rate was actually for applications affecting the most strongly protected List 1 buildings. Although Figure 5.17 showed that the pattern was somewhat different when decisions were measured in terms of floor area, the incidence of Listed Buildings was again higher in Edinburgh (slightly under one third of the area was affected compared to less than a fifth in Dublin). Almost all of the Dublin floor area, though, related to NEWO schemes, but much of that in Edinburgh was for CUTOO proposals. New construction would clearly be far more likely to seriously compromise the Listed Building, or indeed in an unknown number of cases involve its demolition. The implication is that while Edinburgh Listed Building floor area success rates were slightly higher than in Dublin, the approved developments would almost certainly have had a much greater impact on the integrity of the Listed Buildings in Dublin than in Edinburgh.

Table 5.7 showed that overall the success rates for planning applications that affected Listed Buildings were lower in both Edinburgh and Dublin than were those for applications that did not affect Listed Buildings. The difference, however, was over

[40]All Chapter 5 section 7.

twice as great in Edinburgh as in Dublin. Rather surprisingly, Table 5.8 showed that in area terms (and for NEWO schemes only) the reverse was true, i.e. higher success rates for applications affecting Listed Buildings. The difference, though, was again greater in Edinburgh. The average size of NEWO schemes affecting Listed Buildings was, however, slightly less than for other applications in both cities. The table also showed that over five times as many Dublin NEWO schemes affected Listed Buildings as was the case in Edinburgh, notwithstanding the lower incidence of Listed Buildings in Dublin. Also three times the NEWO floor area was approved for applications affecting Listed Buildings in Dublin as in Edinburgh. Thus while 25.5 per cent of all Dublin applications affected Listed Buildings, some 19.2 per cent of NEWO applications did, while the corresponding Edinburgh figures were 41.3 and 20.5 per cent. This suggests that Dublin developers of NEWO schemes were relatively much less likely to avoid Listed Buildings than were their Edinburgh counterparts. In other words the Dublin planning system was less effective than that in Edinburgh at resisting possibly detrimental redevelopment of such buildings.

Of Dublin appeals (excluding CUTON) some 9 per cent involved List 1 buildings, 20 per cent List 2 and 71 per cent did not involve Listed Buildings. In Edinburgh 60 per cent of appeals involved Listed Buildings. Thus in both cities, but especially Edinburgh, appeals have been more likely to involve Listed Buildings than have office planning applications generally, partly because a higher proportion was refused planning permission. Of the appeals the results indicated that in Dublin 33.3 per cent of List 1 cases were granted, 39.4 per cent of List 2 cases and 42.1 per cent of cases not affecting Listed Buildings. The corresponding results for gross floor area were 21.1, 23.2 and 47.7 per cent respectively. In Edinburgh some 39.4 per cent of Listed Building appeals were granted and 40.9 per cent of those not affecting Listed Buildings. These results would suggest that in Dublin Listed Building status has a significant effect on the appeal outcome, especially for NEWO schemes in terms of area, but not much effect in Edinburgh. On the other hand, no NEWO appeal was successful in Edinburgh so the potential physical impact on Listed Buildings was small. Listed Building status in Dublin influenced An Bord Pleanála to some extent, particularly for NEWO or large schemes, but many decisions went against the Listed Building. Unlike Edinburgh, a significant proportion of these probably resulted in the loss or substantial alteration of the building.

Conservation Area provisions were the other main planning measure identified as significant for building preservation. Conservation Areas, as was also the case for Listed Buildings, were far more extensive in Edinburgh than in Dublin. In the former most of the central city (and certain parts of the suburbs) was covered, but in the latter

the coverage was more restricted, primarily to the south eastern Georgian area and certain other important locations. In some cases in Dublin only the street and its frontages were designated, termed the Facade class to distinguish them from buildings wholly in a Conservation Area.

In Edinburgh it was found that 85.5 per cent of central city applications (excl. CUTON) were subject to Conservation Area restrictions, compared to 67.2 per cent in Dublin (or 41.1 per cent if the Facade class was omitted).[41] Table 5.9 indicated that in Dublin there was a substantially lower success rate for office schemes located in Conservation Areas compared to those outside (53.2 versus 71.5 per cent). Surprisingly the rate for the Facade class was the highest at 73 per cent. The Facade class also had the highest level of withdrawn applications, identified in the Dublin context as a possible indicator of the more speculative office developments. The Missing class related to eleven applications on the southern edge of the city centre in a mostly residential Victorian suburb that had a very low success rate and a high incidence of cases subject to the Housing Act. In Edinburgh the highest success rate (aside from the suburbs) was for schemes in Conservation Areas at 69.9 per cent compared to 67.1 per cent for those not in such an area. This would suggest that Conservation Area provisions actually have had more effect in Dublin than in Edinburgh, but the scheme type has not been considered. The results in Table 5.10 were for NEWO schemes only, namely the scheme type that could be anticipated to have most impact on a Conservation Area. It was found that 81.8 per cent of central Edinburgh NEWO schemes were located in Conservation Areas compared to 61.4 per cent in central Dublin (or 30.4 if the Facade class is omitted). NEWO schemes were thus slightly less likely to be located in Conservation Areas in both cities, but with the effect marginally greater in Dublin. The Dublin Facade class, though, was of note because while 26.2 per cent of central area applications were situated within it, 31 per cent of central NEWO schemes were. The implication is that Facade conservation status in Dublin did not appear to have deterred NEWO developers. What actually happened to the existing buildings was not investigated, but it is likely that many were lost. Unlike Edinburgh, relatively few accurate replica Georgian style facades have been erected or old facades retained as part of redevelopment. Thus many of these developments (if constructed) have probably been faced with either Georgian pastiche[42] or something more modern (refer to McDonald, 1985 for examples). In Dublin the highest success rate (for NEWO schemes only) was for schemes not in a Conservation Area and the lowest, apart from the Missing class, for schemes in a

[41]Conservation Area status was only known for city centre planning applications - refer to Chapter 4.
[42]Simplified, inaccurate or cheap Georgian style, depending on your viewpoint.

Conservation Area. The difference was quite substantial (72.9 compared to 55.1 per cent). In contrast to the results for all applications, the success rate for the Facade class was slightly lower than for schemes outside Conservation Areas, but nonetheless higher than might have been expected. The incidence of withdrawn applications was higher than that in Table 5.9 suggesting that these NEWO schemes might have been more speculative than other scheme types. In Edinburgh the success rate was again higher for schemes inside as opposed to outside Conservation Areas (80.6 versus 75 per cent). For schemes in Conservation Areas the contrast with Dublin is thus quite striking (80.6 per cent granted compared to 55.1 in Dublin), but the rates are quite similar for schemes not in such areas.

In Edinburgh it seems that developers had clearly tended to concentrate the larger NEWO schemes in those limited sites not part of Conservation Areas. In Dublin, on the other hand, the larger NEWO developments tended to be located in Facade Areas in preference to Conservation Areas. There was very little suggestion that Dublin developers had opted to locate the larger proposed developments outside Conservation Areas completely. The evidence was provided in Table 5.11, which showed the gross office floor areas involved. Here it was apparent that in Dublin some 36 per cent of central NEWO floor area applied for was located outside Conservation Areas - roughly the same proportion as the number of such schemes (38.1 per cent). Only 10.8 per cent of proposed central NEWO floor area, though, was located in Conservation Areas compared to 30.4 per cent of applications. This implies that these applications were relatively small in average floor area. Some 53.3 per cent of the gross area, though, was in the Facade class compared to 31 per cent of NEWO applications. This indicates that such schemes were relatively large in terms of area, also these areas accounted for over half the total area. In Edinburgh while only 18.2 per cent of central NEWO applications were outside Conservation Areas, some 46.1 per cent of the proposed floor area was.

The above differences were reflected in the average scheme sizes for each zone. Schemes in the Dublin Facade class and Edinburgh NOT IN CONS. AREA were especially large (5,168 and 7,245 square metres on average respectively). Edinburgh had the largest average sizes for both NEWO schemes in and outside Conservation Areas (2,397 versus 1,043 inside and 7,245 versus 2,901 square metres outside).

In terms of the decision percentages, the table showed that in Dublin the success rate was slightly lower for gross NEWO area located in a Conservation Area (63.4 per cent), than that for either floor area outside Conservation Areas (67 per cent) or in the Facade class (66.7 per cent). Since the area success rate in Conservation Areas is

nonetheless significantly higher than that for the number of schemes, this suggests that the larger schemes may have been favoured in these areas. In Edinburgh the success rate for gross NEWO area in Conservation Areas (76.1 per cent) was slightly higher than for that outside (73.9 per cent). The Edinburgh area success rate in Conservation Areas was thus slightly lower than the rate for number of applications, which suggests that the smaller schemes have been favoured in these areas. Overall, though, the Edinburgh rates were higher than those in Dublin, but especially so within Conservation Areas (76.1 versus 63.4 per cent). In Edinburgh, on the other hand, CUTOO floor area was less likely to be approved in Conservation Areas than elsewhere in the central city (73.3 versus 88.5 per cent).

Table 5.12 showed the results of planning appeals as they related to Conservation Areas. It was found that in Dublin the lowest success rate was for appeals in Conservation Areas (33.6 per cent) and the highest for appeals outside such areas (48.8 per cent). The Facade class was in between at 41.7 per cent. Thus Conservation Areas status appeared to have exerted a graded effect on An Bord Pleanála, with the success rate inversely related to the grade of protection. Such a pattern was not evident in Edinburgh as there were no successful appeals outside Conservation Areas. There were, however, only three such appeals. Table 5.12 also showed the final results in terms of numbers of applications. Here it was clear that the Dublin final success rate within Conservation Areas was substantially less than that in Edinburgh (60.2 versus 72.7 per cent), but higher outside such areas (78.5 versus 67.1). The Dublin Facade class also showed the relatively high success rate of 76.9 per cent.

The analysis of the gross floor area of appeals was presented in Table 5.13. Again the pattern in Dublin was consistent - the stronger the Conservation Area protection the lower the NEWO appeal success rate ranging from 21.8 per cent in Conservation Areas to 62.9 per cent outside. The Facade class was again about half way between these two. There were no successful NEWO appeals in Edinburgh. The final outcome, therefore, was that a lower proportion of NEWO area was granted permission in Dublin Conservation Areas than in Edinburgh (67.7 versus 76.1 per cent), but a higher proportion outside Conservation Areas (75.9 versus 73.9 per cent). The Dublin Facade class had a fractionally higher area success rate than for schemes inside Conservation Areas (68.2 per cent).

To conclude, it is unquestionable that a greater proportion of Edinburgh sites contained Listed Buildings than was the case in Dublin, and consequently a greater proportion of both office development planning applications and gross office floor area were subject to Listed Building controls. The effects of Listed Building status,

though, were less clear cut. In both cities the application success rates were lower overall for schemes subject to Listed Building control than for those which were not. The opposite was true, though, for NEWO floor area in both cities. Edinburgh showed the greatest differences between Listed and Unlisted Buildings, but all the success rates were higher than their Dublin counterparts. The evidence also indicated that developers of NEWO schemes had been far more likely to avoid Listed Buildings altogether in Edinburgh than in Dublin, thus only 46 such schemes affected Listed Buildings in the former compared to 191 in the latter. Thus for applications actually lodged Edinburgh showed a relatively greater effect, but can not be said to have had substantially the more restrictive Listed Building regime. Rather the main effect would appear to have been to deter applications affecting Listed Buildings. This especially applied to those which might damage (or replace) the Listed Building, such as NEWO schemes. The deterrent effect was much weaker in Dublin, thus in absolute terms far more NEWO applications were granted permission and would have affected what was already a significantly smaller stock. In this respect the effect of planning control in Edinburgh has been much greater than in Dublin. It is noteworthy that the effect would seem to have been mostly one or a combination of a spatial displacement of development and an inhibiting of schemes. It did not manifest itself through high levels of refusals of permission. At the appeals stage Listed Buildings status did not appear to have been a significant factor in Edinburgh. This was probably unsurprising given that there were no successful NEWO appeals of any sort. In Dublin, though, the effect appeared clear and straightforward - the stronger the listing the lower the success rate. In absolute terms, however, there were many successful appeals. Overall, therefore, Listed Building measures probably had a greater effect in Edinburgh, though this was not necessarily reflected in the planning application success rates.

Conservation Areas were also more extensive in Edinburgh. A considerably higher proportion of central Edinburgh office development applications and area had been affected, than was the case in Dublin. It did not appear, though, that Conservation Area status could be said to have had a greater effect in Edinburgh than in Dublin since both the Conservation Area application and area success rates in the former were substantially higher than those in the latter. They were also higher than for central area applications outside Conservation Areas in Edinburgh. Dublin did, however, have a surprisingly high application success rate for the partially protected Facade class. In many cases these schemes probably involved replacing the existing building. There were also indications that this might have contained a concentration of the more speculative NEWO developments. As with Listed Buildings it appeared that NEWO applications had been slightly deterred from full Conservation Areas, but

in Dublin this was almost entirely mirrored by a concentration into the Facade Areas instead. The effects were much greater when measured in terms of floor area. This applied both to Edinburgh (disproportionately outside Conservation Areas) and Dublin (heavily concentrated in Facade Areas). There was also some evidence indicating that in Edinburgh the relatively smaller schemes had been favoured in Conservation Areas, while the reverse was found in Dublin.

So far as appeals were concerned there were so few situated outside Conservation Areas in central Edinburgh that it was difficult to identify any differences. In Dublin the effects were clear - namely a graded effect on appeal success rates (in both application and floor area terms) related to the strength of the protection. Overall, therefore, the effects in Edinburgh appear to have been to divert primarily large NEWO developments to other parts of the city, so that the success rates for applications actually lodged showed, if anything, higher success rates within Conservation Areas. In Dublin NEWO schemes also appeared to have been deterred from being located in the relatively small full Conservation Areas, but had been displaced into the adjacent more weakly protected Facade Areas. Success rates were consistent with some extra protection being given to the full Conservation Areas (thus giving rates lower than Edinburgh), but were surprisingly high in the Facade Areas. Overall, full Conservation Areas may have had more apparent effect in Dublin in limiting office development than in Edinburgh. The effect, though, was measured by the success rates, rather than through a detailed consideration of the characteristics of each scheme that was approved. It also only benefited the somewhat limited core Georgian area they covered. Facade status seemed to have had little effect in Dublin, since the majority of NEWO floor area was applied for in such areas, and had a high success rate. Thus for the central city as a whole, conservation effects were probably greater in Edinburgh.

The hypothesis is on balance probably true, but the evidence is not altogether clear. This is especially so in relation to Conservation Areas.

HAS EDINBURGH BEEN MORE RESTRICTIVE AND/OR COSTLY?

Of the eight hypotheses, it was concluded that only two were fully substantiated (B and F) and three partially so (E, G and H). One was considered not proven either way (D), and two were considered to be disproven (A and C). This is not a clear cut result, but the balance of the evidence supports the overall hypothesis of the study that Edinburgh was more restrictive of office development than Dublin. The failure to

conclusively establish the overall hypothesis is somewhat surprising, both in the light of the statements quoted in Chapter 2, generally prevailing opinion and the actual physical differences in the appearance of the two cities. Even the most cursory of inspections of Edinburgh and Dublin would indicate that the latter has been the subject of a much greater level of new office construction than the former, and with much less regard to the historic character of the city.

There are, however, a number of explanations that can be offered. Firstly, there is an implicit assumption in the analysis, especially in comparing application and area success rates, that both development control systems operate in the same way such that the data on actual applications is strictly comparable. Developers clearly must consider the policies of the PA/DPA when defining their proposals. In this regard Pountney and Kingsbury (1983b) noted that UK applicants considered pre-submission discussions with the Planning Authority to be important. As the planned follow up survey of office development applicants could not be undertaken, no evidence was available as to the effects of such consideration and/or discussion in either city. They were, though, quite likely to be different. The subjective impression (from sources such as McDonald, 1985) is that such discussions were infrequent in Dublin The assumption that the statistics were directly comparable would be at least partially invalidated if it were the case that Edinburgh applications were more filtered in some manner, such that only applications with a relatively high likelihood of being approved were submitted to the DPA, and those in Dublin were less so. McNamara and Healey (1984, p95) noted that "the tougher the restraint policy, the greater the level of 'hidden demand' ", but it must be agreed with Pountney and Kingsbury (1983a) that it is probably impossible to determine how many applications were never made. However, the contrast between the unexpected findings in respect of Planning Authority decisions with the more anticipated results in respect of appeals, may provide some clue. The population of potential appellants is known since it constitutes those persons whose applications were refused planning permission[43]. All such applicants were entitled to lodge an appeal. As was noted, though, a much higher proportion of them did actually do so in Dublin than was the case in Edinburgh. Why should this have been so? Two reasons could be that appeals were more expensive in Edinburgh (they took much longer, for example), and that few applicants considered that they were likely to change the planning decision. In other words unsuccessful Edinburgh applicants were deterred from lodging an appeal by their knowledge and expectations of the system. It is possible, and indeed it is argued that it is quite likely,

[43]Leaving aside appeals against conditions, and a failure to reach a decision within the specified period.

that Dublin planning applications may similarly have constituted a higher proportion of potential office developers' schemes than was the case in Edinburgh. This would imply that the Edinburgh development control system success rates would appear higher than might be expected because of developers not submitting proposals for schemes considered to have a high probability of being unacceptable to the DPA.

Although there is no proof, the circumstantial evidence in Dublin identified in the present study, through the sorts of developments that have actually taken place and as described by authors such as McDonald (1985), strongly suggests that developers have given little consideration to the preferences of the planners. Dublin Corporation (1986) acknowledges that many planning objectives of the 1976 draft and 1980 Development Plan had failed. For example, proposals "... to correct the imbalance of development between the north and south Inner City. ... the pattern of State and Semi-State leasing (of new offices) reinforced existing office location trends. Hence, without support (from the State) the Development Plan objective has not been achieved", (Corporation of Dublin, 1986, p64). Conservation has also been problematic since a 1982 study of 613 of the highest grade of preserved Georgian houses found that "six out of ten need major repairs and 20 per cent need a massive overhaul" (p48).

Further evidence is provided by the contrasting spatial patterns of office development (Hypothesis F) reflecting the stated policies of the Planning Authorities.[44] The Dublin policy in favour of central development and restrictions on suburban development may have had relatively little overall effect on developers, since it matched the conventional Central Business District pattern of office location. To the extent that decentralisation was becoming apparent in Dublin in the 1980s, most occurred beyond the Dublin Corporation southern boundary in Blackrock and Dun Laoghaire (Malone P., 1981; 1983; 1985). This limited the extent to which developers might have wished to challenge the PA's policies against encroachment on the suburbs. In the inner southern suburbs, though, the research identified a significant concentration of planning refusals. Suburban Third Party appeals were also shown to have led to refusals of permission in many cases. Thus there probably was some attempt by developers to test the resolve of the PA to protect the residentially zoned areas to the south of the Grand Canal running south-east towards the Blackrock and Dun Laoghaire areas. This would have had the effect of increasing the overall refusal rate. In Edinburgh the policies were designed to restrict office development in the centre

[44]See Chapter 3.

and promote suburban development at certain designated sites. The results showed that there were very few large NEWO applications in the city centre, and only a limited number of other proposals. Equally, there were relatively far more suburban applications than was the case in Dublin. The suggestion is that developers had to a considerable extent taken account of the stated planning policies before submitting applications. This would have tended to reduce the level of refusals.

In such circumstances the Edinburgh planning system might have been considerably more restrictive of office development in the city centre, and more relaxed in the suburbs, than is indicated by the statistics for the city as a whole. This is possibly due to the majority of applications having been made only once they had been rendered broadly acceptable to the planners. The opposite could have applied in Dublin with the apparently high refusal rate in fact indicating relative weakness in the planning system. A high proportion of schemes may not have conformed to the planners' desires, but with only the more blatantly unacceptable schemes being rejected.

The differences in the appearance of the two cities certainly lend support to the argument that the character of the office development applications was not the same between Edinburgh and Dublin. The argument thus places the finding that hypotheses A and C were not true in a new light, and suggests that at a wider scale the weight of evidence in support of the overall hypothesis that Edinburgh was the more restrictive city is increased.

Secondly, the majority of the analysis concentrated on relative comparisons between Edinburgh and Dublin. The absolute differences were noted, but it is worth stressing how great they were. Although Hypotheses A and C were disproven because Edinburgh recorded the higher success rates, these were for a much smaller number and especially gross area of proposed office development (2.38 million square metres in Dublin compared to 599,121 in Edinburgh). If all that were granted planning permission were implemented, the eventual impacts on the cities would thus have been very different (1.65 million square metres was granted after appeals in Dublin compared to 432,908 in Edinburgh). It was also noted that central Dublin experienced around five times the number of applications and four times the floor area per hectare as compared to Edinburgh. Absolute office development pressure, especially in central areas, was thus much greater in Dublin. In itself this could have been a significant contributor to Dublin development statistics indicating an apparently high level of refusals. The very sharp drop in the proportion refused planning permission in 1984 and 1985 in Dublin as development pressure evaporated with the onset of recession supports this point. There are various explanations for why Dublin may

have experienced more office development pressure. These include the Irish economy being at an earlier stage of industrialisation, the fact that Irish economic activity is much more concentrated on Dublin than is Scotland's on Edinburgh, the role of the State in leasing large quantities of space, and the speculative pressures encouraged by the office boom. The latter is perhaps particularly important since office supply by 1983 was far ahead of actual demand.

Thirdly, Hypothesis D relating to the average size of office development was neither proven nor disproven. It was, though, noted in Chapter 4 that there were problems in collecting the data especially in Edinburgh, and with some grounds for believing that a disproportionate amount of missing data in Edinburgh related to relatively small planning applications. Better data could well move the statistical results towards greater support for accepting the hypothesis, particularly for the important NEWO scheme type.

Fourthly, Hypothesis G relating to planning conditions was found to have been only partially true. The Dublin planning authorities were found generally to have used less, but apparently more onerous conditions than was the case in Edinburgh.[45] It is suggested, however, that the appearances of the conditions are deceptive. It is argued that the conditions used in Dublin are, paradoxically, an indication of weaknesses in the development control system, instead of being evidence of Dublin imposing stricter limitations than was the case in Edinburgh. In the absence of the intended survey of developers, there is limited firm evidence for this view. It was apparent, though, from studying the Edinburgh planning register that the final approved plans were often an amended version of those originally submitted. It has also been previously noted that applicants who had submitted proposals that were substantially unsatisfactory were usually invited to modify them in consultation with the planning department before a final decision was reached. Perhaps due to the statutory time limit, a similar procedure does not seem to have been followed in Dublin to a similar extent. Decisions appeared to have been made essentially on the basis of the plans submitted, with conditions being used to effect modifications to make the schemes more acceptable to the PA.

It would seem, therefore, that significant numbers of conditions used in Dublin, especially the more major ones, would have been incorporated into amended plans in Edinburgh and would thereby not have been recorded. The legal problems of

[45]Leaving aside the standard set of conditions applied to all granted planning applications in Dublin (pre-printed on the decision notice) - see Chapter 4.

potential compensation payments if permission was refused in Dublin (see Chapter 3), could also have been significant. It is quite plausible that some developments that would have been either refused, or substantially altered in negotiations with the planners in Edinburgh, would have been granted permission in Dublin but with conditions. These conditions might have had the same intention (such as to substantially increase the residential content, modify the design or reduce the amount of office space), but it is considered that the planners would have been in a weaker position. This is because granting planning permission for a clearly specified set of amended plans permits a simple assessment as to whether the finished development complies with the planning permission. It is almost certainly not equivalent to granting permission for a partially satisfactory set of plans subject to a typical Dublin condition such as 'office space to be rearranged within the buildings(s).'[46] Such conditions are clearly open to interpretation and thus probably difficult to enforce, even if stringent procedures were in place to enforce the conditions in the way they were intended. This aspect of development control was beyond the scope of the present research, but the impression was that such procedures largely did not exist in Dublin. This is supported by other evidence. For example, if cases such as that of the Central Bank where the building was 20 per cent higher than shown in the plans, recorded in McDonald F. (1985), were common the Corporation has sometimes failed to ensure that even the approved plans were complied with, let alone what was required by any conditions.[47]

The abandoned survey of developers could have provided information on extra costs imposed on developers through formal planning conditions. As it was this was difficult to assess. It is worth noting that many requirements of the planners, especially in Edinburgh, were probably not imposed by conditions, but rather through adaptation of the plans in the negotiating process leading to the granting of planning permission. For example, many Edinburgh developments incorporated the use of natural stone or retained facades, but these factors were often not mentioned in the conditions.

Fifthly, although Hypothesis E was found to be only partially true, namely that overall there were greater planning delays in Edinburgh than in Dublin, the results depended on the nature of the application. Change of use and some NEWO

[46]See Appendix 2 Dublin condition 400.

[47]The Central Bank's new headquarters was found to be 8.8 metres (20 per cent) higher once finished than was indicated on the plans lodged with the Corporation. The latter eventually decided to take no enforcement action (McDonald F., 1985, pp 169-170). Problems in enforcing planning conditions may also have been of some significance in the UK, as noted by Booth (1983).

applications were processed faster in Edinburgh than in Dublin and in significantly less time than the 60 day statutory decision period, but for most NEWO applications there were very considerable delays in Edinburgh. This is consistent with decisions taking the time appropriate to the complexity and ramifications of the proposals. This is surely a desirable objective. There were further substantial delays in the state run Edinburgh appeals system relative to that in Edinburgh. Overall it has meant that delays have been primarily experienced by the larger commercial property development organisations. *Prima facie* there is thus some cause for complaint from this group over Edinburgh decision periods. This type of development probably has the greatest direct financial involvement, so the costs of planning delays (e.g. in interest on capital, land holding costs and professional fees) would be at their maximum. On the other hand, such costs need not be large relative to the costs of the development - for instance loans for construction costs would not be needed until after planning permission was granted. The planned survey of developers would have helped to determine the actual magnitude of such costs.

The quotations in Chapter 2 from the property industry largely reflect the views of the larger commercial developers, but as the research has shown, a substantial number of applicants have actually fared better in terms of delay than their Dublin counterparts due to the greater flexibility of the Edinburgh system. A significant portion of the difference between the two cities could also be accounted for by the greater opportunity afforded to developers of unsatisfactory schemes in Edinburgh to either modify their plans or submit written representations to the planning committee justifying their proposals. This would almost certainly have led to some applications being granted, perhaps in a modified form, which would otherwise have been refused permission. It is considered that moves to impose a statutory time limit similar to that in Ireland would lead to the loss of this flexibility, and thus a higher proportion of planning applications in Edinburgh would tend to be refused. Developers might well thus pay for shorter delays with a higher refusal rate and a planning authority which would appear more in keeping with its restrictive reputation than at present. The cost implications for the developer of a refusal of planning permission are presumably higher than are those of planning delay. Thus such a result probably is not what office developers want. They would presumably prefer low refusal rates as at present and faster decisions. It is difficult to see, though, how this could be compatible with the maintenance of public participation, and a reasonable consideration of the larger or more complex schemes.

Sixthly, Hypothesis H relating to conservation was found to be only partially true. This is probably also somewhat misleading, however, due to Listed Building and

Conservation Area provisions being considerably less extensive in Dublin than in Edinburgh. There was also the fact that Listed Building status appeared to have acted as a greater deterrent to NEWO developers in Edinburgh than in Dublin. The first factor would tend to make it easier for the Dublin PA to be relatively restrictive in terms of what was permitted to affect a comparatively small stock of Listed Buildings or areas zoned for conservation, since developers could be diverted to other areas of the city centre. This would appear to have been what has taken place with relatively little NEWO development (but considerable CUTOO) affecting Listed Buildings or full Conservation Areas, but wholesale redevelopment in immediately adjoining districts (hence the development ring identified in Chapter 6). Since almost the entire city centre of Edinburgh was a Conservation Area, and a substantial proportion of the buildings Listed as well, the option of diverting development to another part of the city centre was not available. Such developments were, though, encouraged to locate outside the city centre or in the outer suburbs. It can also be argued that it would have been politically difficult, and no doubt undesirable, for the DPA to have attempted to freeze all development in the city centre. A significant number of all types of office development were thus granted planning permission giving the impression from the statistics that Dublin exercised similar or greater restriction than Edinburgh. What the survey results do not indicate is that most NEWO developments in central Edinburgh have either been on pre-existing gap sites[48], or redevelopment behind a retained facade. The physical impact on the fabric of the city as perceived by the casual observer has thus been quite small. The granting of planning permission in Dublin, on the other hand, for a site involving either or both a Listed Building or Conservation Area (including Facade Areas) would appear to have been much more likely to result in either or both the loss of the historic building and development very unsympathetic to the surroundings (see McDonald F., 1985).

Overall, therefore, a case has been made to suggest that in the case of the three hypotheses found to be partially true (E - greater delay in Edinburgh, G - greater numbers and more onerous planning conditions in Edinburgh, and H - stricter conservation controls in Edinburgh), the planning applications data could be either prone to problems of aggregation, misleading, or inadequate on its own. To a greater or lesser extent, therefore, these hypotheses should be accepted to a greater degree than was initially concluded on the basis of the analysis of planning application statistics. This applies especially in relation to the effects of conservation, to planning delays as they affect primarily either larger schemes, NEWO developments or city

[48]Often the site of 19th century light industry, or buildings demolished prior to 1970 when conservation was not seen as quite so important.

centre proposals (all generally the products of the commercial/professional development industry), and to some extent in relation to planning conditions.

So far as the two hypotheses that were rejected are concerned, namely A and C relating to the proportion of applications granted planning permission, the argument put forward above that developers were likely to have been conforming more to planners' requirements, or not applying at all, in Edinburgh to a much greater extent than in Dublin, means that the statistics thus tell only part of the story. The hypotheses as phrased thus do not provide an accurate and complete test of whether or not Edinburgh can be considered to have been the more restrictive or costly city, since the more restrictive the system, the more the applications probably represent only those potential developments considered to have a reasonable chance of being acceptable.

Thus three of the eight hypotheses were found to be true, three partially so but with strong grounds for considering that they were true to a greater extent than indicated by the statistics, one not proven either way but with some possibility that the data may have included small biases tending to inflate the apparent average size of Edinburgh office developments, and two disproven but with a strong case that the statistics do not tell the complete story and make Edinburgh appear much less restrictive than was really the case. The grounds for accepting the overall research proposition that Edinburgh has been more restrictive of office development than Dublin over the course of the study period are thus considerably strengthened. It is thus concluded that on balance this may be accepted to have been the case.

CONCLUSION

The analysis of planning applications data was found not to support all of the eight hypotheses evaluated in order to decide whether or not the Edinburgh development control system had been more restrictive of office development than that in Dublin. Two could be accepted as fully substantiated, namely B that Edinburgh had been more restrictive in relation to planning appeals and F that the spatial patterns of development were significantly different. Three were considered partially true, being E that decisions were made more slowly in Edinburgh, G greater numbers and more onerous conditions in Edinburgh and H more pervasive and effective conservation provisions in Edinburgh. The hypothesis relating to average size (D) was not established either way. Two of the most important, however, appeared disproven since the statistics showed Edinburgh granting permission for a greater proportion of

initial applications (A) and similarly in relation to the post-appeal final outcome (C). The initial balance was thus on the side of accepting the overall hypothesis that Edinburgh had been the more restrictive planning authority, but the evidence was not as strong as suggested by either the literature or subjective impressions of what had physically occurred.

A number of arguments were advanced, however, to suggest that the statistical results based on planning applications might not give a complete picture. These arguments included the following.

(1) That there was some evidence to suggest that developer's knowledge of planners' policies and requirements had had a greater effect in Edinburgh in modifying developers' ideas in order to produce relatively acceptable planning applications than had been the case in Dublin. This would have increased the apparent success level in Edinburgh, but only because the DPA's restrictiveness had forced developers to avoid proposals they anticipated would be unlikely to be accepted. The converse may have increased the apparent restrictiveness in Dublin as developers were tempted to test schemes not conforming to the Development Plan.

(2) The substantial difference in the absolute numbers of applications, especially for NEWO schemes, and particularly in the total gross floor area of proposed office developments. Development pressure in Dublin was thus substantially greater than in Edinburgh, which might have contributed to Dublin refusing a higher proportion of schemes as the city struggled to absorb the quantity of proposed redevelopment.

(3) There were some problems with gross floor area data that could have led to Edinburgh average scheme sizes being overestimated.

(4) The apparently relatively onerous planning conditions frequently imposed in Dublin were postulated as actually reflecting weaknesses in the development control system, since many would either have been unnecessary in Edinburgh or have been incorporated in legally binding amended plans.

(5) Although overall Edinburgh planning applications suffered only modest additional delays relative to Dublin, these were actually concentrated on certain sectors including larger schemes, those in the city centre, NEWO schemes and appealed applications. The restrictive effects and/or cost implications would thus have been greatest for professional office development organisations and medium to large owner occupier developers.

(6) Listed Building and Conservation Area provisions covered a relatively limited area in Dublin compared to Edinburgh. The result may have been that the Dublin PA could afford to give greater

> protection to these areas by refusing planning applications, than was the case in Edinburgh where most of the central city was protected. On the other hand, the types of schemes proposed for such areas in Dublin appeared to be potentially more damaging than they were in Edinburgh. Thus the Edinburgh protection provisions appeared to have had a greater deterrent effect on developers putting forward plans severely detrimental to conservation than was the case in Dublin. There were few Edinburgh applications, for example, involving the demolition of a Listed Building whereas these were relatively common in Dublin.

As a consequence, it was considered that the true balance lay further towards accepting the general hypothesis that Edinburgh had operated the more restrictive development control system during the study period than Dublin than had been initially concluded.

CHAPTER 8

CONCLUSION

The thesis opened with an examination of the development and importance of office functions in modern industrial and post-industrial economies. After briefly examining existing research on the location and general geographic characteristics of office development, it was concluded that while demand was an important factor, the supply of office space was at least equally important. This was especially so in determining near term patterns of office location. Developers of office space, who would usually not be the occupiers, were thus held to be of very considerable importance in shaping the growth and location of the sector. As a consequence, the factors which act on office developers to determine their locational and other development preferences were identified as an important area for research. It was considered that in the UK context one of these key factors is the existence of controls on development imposed by the existence of the planning and development control system. It was also seen that since the 1960's, and especially since the 1979 election of a Conservative Party government, the planning system has been a subject of controversy and under attack from 'New Right' and other groups opposed to state controls on the operation of the market. While only the more extreme favoured the abolition of planning controls, it was seen that the system has been quite widely criticised for unduly restricting development activity, creating excessive delays, inefficiency, excessive bureaucracy, interference in matters outside the 'proper' scope of planning, poor or inappropriate objectives, and increasing costs.

As a result it was decided to make the effects of planning controls on office development the subject of the present study. The principle objectives were defined in Chapter 2. It was suggested that most of the criticism of planning was underlain by two hypotheses: namely that the UK planning system has been restrictive of office development compared to an uncontrolled environment, and the second being that restrictive planning controls on the physical development of offices would reduce the growth of the office sector (and other areas of the economy). On the other hand, it was also noted that these were not the intended effects of planning. Its purpose was to provide benefits to the national economy and the community. It was concluded that since the planning system thus has both benefits and costs, it is important to be able to compare and evaluate them. It was, however, apparent that this was a large and complex subject. Due to the limited time and resources available for the research it was not possible to investigate such a broad topic. It was thus decided to concentrate

on establishing whether or not the UK planning system had been restrictive of office development, thereby imposing costs on the economy.

After considering the options, it was further decided to execute the research using a case study methodology. This took the form of a comparison between two cities, one of which was generally held to practise a restrictive set of development controls, and the other was an example of what was held to be as lightly regulated an environment as was readily available. Edinburgh was identified as having a reputation for operating one of the more restrictive and cost imposing planning systems in the UK, while Dublin in the Republic of Ireland was chosen as the lightly regulated city. The latter had the advantage of being broadly similar to Edinburgh in many respects, although being completely outside the UK planning system. The study period chosen was ten years extending from the start of 1976 to the end of 1985. This was considered long enough to be not unduly susceptible to short term fluctuations but manageable in terms of the volume of data.

In order to define more closely what was meant by a restrictive or costly planning system, eight detailed hypotheses were put forward to cover individual aspects of restrictiveness. These comprised the following list.

A) That a lower proportion of applications involving office development were granted planning permission in Edinburgh than in Dublin.

B) That a lower proportion of planning appeals were granted permission in Edinburgh than in Dublin.

C) That the total proportion of applications granted permission after taking appeal results into account was lower in Edinburgh than in Dublin.

D) That the average size, measured in terms of gross floor area, of Edinburgh office developments was smaller than that in Dublin.

E) That planning applications and appeals have taken longer to process in Edinburgh than in Dublin.

F) That the location pattern of proposed office developments in Edinburgh was significantly different to that in Dublin, principally with a more decentralised distribution in the former.

G) That planning conditions have been more widely used in Edinburgh, and were of a more onerous type than was the case in Dublin.

H) That building conservation provisions have been more pervasive and had a greater effect in Edinburgh than in Dublin.

It was noted that the hypotheses related to different aspects of the research. The first three (A, B and C) covered specific measures of the restrictiveness of Edinburgh relative to Dublin, but with some cost implications. The fourth (D) related to both restrictions on development and costs/effects on the end user. Hypothesis E had direct implications for the costs of undertaking development. Hypothesis F related to the degree of spatial control exerted by the planning system, and covered both aspects of restrictiveness and costs. The last two (G and H) related to development costs, and to some degree restrictiveness.

Edinburgh could be held to have been more restrictive or costly than Dublin if all eight were found to have been true, or at least restrictive to some extent and in specific areas if only some were upheld. If all proved to be false then Edinburgh could not be considered to have been the more restrictive or costly.

Before proceeding to discuss the data, it was considered necessary to briefly consider the legislation controlling the operation of the planning systems in the two study areas, and also to consider the stated objectives of the planning authorities in both cities. This material was reviewed in Chapter 3. The most important characteristic to emerge was that since 1963, and thus throughout the study period, the primary legislative framework was very similar in both Scotland and the Republic of Ireland, but with a number of significant differences that should have led to either weaker or less restrictive controls in the latter. These differences included:

1) a potential liability to pay compensation in Ireland if permission was refused outright, compared to none in Scotland;
2) a statutory two month maximum decision period in Ireland, compared to an indicative (non-mandatory) two month period in Scotland;
3) more limited publicity for development proposals in Ireland as compared to Scotland;
4) weak provisions for the designation and protection of Listed Buildings and non-statutory Conservation Areas in Ireland, compared to extensive provision in Scotland; and
5) the introduction of fees for processing planning applications in Ireland two years later than in Scotland.

There was also one difference that could operate in the other direction, namely to make Dublin more restrictive, which was the right of Third Parties to appeal against the granting of planning permission. There was no equivalent in Scotland.

An examination of the planning policies of the relevant local authorities again showed that they had somewhat different objectives. In Edinburgh the main objectives were identified as restraint of office development in the central area matched by the encouragement of such development at certain designated suburban sites (including Leith to the north and South Gyle to the west), preservation of inner city residential use, conservation, controls over the design and materials used in Conservation Areas, and controls on the loss of shops to office uses. In Dublin the main control was to be exercised through zoning. Most of the central city was zoned for office use, although there was some change in 1980 when the office zoned area was reduced in an attempt to restrict office expansion into residential areas to the south-east of the city centre. More generally office uses were to be restricted in suburban areas. It was desired that development be channelled north of the River Liffey and more generous site coverage and plot ratios were allowed as an incentive. Only a limited number of buildings were listed for conservation (expanded in 1980) and it was accepted that although some residential use was desirable in the inner city, change of use to offices might better ensure the preservation of historic buildings. Much of the inner city, except certain key Georgian areas, was actually to be subjected to redevelopment as a result of Dublin Corporation road widening and public transport policies (but these were downgraded in 1980). Separate to the formal planning system, Irish housing legislation was of some significance in preventing change of use from a residence in the period before 1985.

On balance, therefore, there were good grounds for considering that both the legislation and the planning policies of the two planning authorities would make the system more conducive to office development in Dublin than in Edinburgh.

In order to undertake the research, data was collected on all the office planning applications made during the study period in both cities. An advantage of the legislative similarities was that almost identical data sets were available, as was set forth in Chapter 4. The only difficulty arose in collecting information on the gross floor area of proposed developments. A more comprehensive data set was available in Dublin, due to greater public rights of access to planning records, than was the case in Edinburgh. In the latter some data was made available but was probably mostly for the larger developments. A geographical information system was used to hold the data and facilitate the analysis phase.

The data were analysed and the results compared between the two cities. This was done by comparing results for the two cities as a whole, but also temporally in terms of trends over the study period, and spatially in terms of location patterns within the

two cities. The principal results were summarised, discussed and explained in terms of the eight hypotheses in Chapter 7. It was concluded that only two, namely B - a higher proportion of planning appeals was refused in Edinburgh than in Dublin - and F - that the location patterns of proposed developments were significantly different - were fully supported by the available evidence. Three, namely E - planning applications and appeals took longer to process in Edinburgh than in Dublin, G - planning conditions were more widely used in Edinburgh than in Dublin and were typically also more onerous or costly, and H - building conservation provisions were more pervasive and of greater effect in Edinburgh, were considered to have been partially substantiated. Hypothesis D - that average sizes of developments were smaller in Edinburgh than in Dublin - was considered not proven either way. In addition, and rather surprisingly, two of the hypotheses (A and C - that higher proportions of planning applications and planning appeals respectively were refused in Edinburgh compared to Dublin) were found to have been disproven. Dublin was found to have experienced a slightly higher application success rate than Edinburgh. On this basis it was concluded that the overall thesis that Edinburgh had operated the more restrictive and/or costly development control system could not be unambiguously endorsed, although the balance of the evidence lay in this direction.

This conclusion, however, was clearly at odds with the commonly expressed opinions about the two cities discussed in the introductory section of the present work. It also ran counter to subjective perceptions based on an examination of the appearances of the two cities and the physical manifestations of office development. During the course of the research, however, a number of factors were identified that, it was argued, could contribute to an explanation. Firstly, it was proposed that while the development control data were the best available and were in theory almost identical in terms of their characteristics and scope in both cities, the assumption that the data were strictly comparable was not necessarily true. Property developers would have been irrational to submit planning applications that could, with some degree of certainty, have been expected to be refused. This is so because not inconsiderable costs would have to be borne, especially after fees for making applications were introduced. Thus it was proposed that the more restrictive the planning regime the more developers might be expected either to not submit proposals at all or to modify their original intentions to more closely accord with the wishes of the planning authority. It was argued that the effect would have been to give Edinburgh a higher than expected success rate in terms of planning applications granted permission. This would be due to schemes that might have been refused either not being proposed or being modified in discussion with planners at the pre-submission stage. The reverse effect was considered to have been possible in Dublin since the perceived operation

of the system was such that developers probably had little incentive to frame their proposals in consultation with the planners prior to submission. They may also have been tempted to test the limits of the planning authority's resolve to adhere to the Development Plan. Thus a relatively low level of refusals in Edinburgh could, paradoxically, be argued to be indicative of effective planning control and the opposite in Dublin.

Two further findings added support to this explanation that the development control data had variable characteristics. Hypothesis F was found to be true, namely that the spatial pattern of office development in Edinburgh was substantially different to that in Dublin. A much lower proportion of Edinburgh office development had been proposed for the city centre than was the case in Dublin. Indeed large parts of the central city in the former were found to have been subjected to little office development pressure. There would thus have been little need for the DPA to refuse applications in order to conform to policies such as that on Central Area Office Restraint. It was noted that the different spatial patterns could reflect different preferences on the part of developers, but it was suggested that they were to a considerable extent a real manifestation of the effects of different land use and planning control strategies. The second finding was that change of use (CUTOO) applications had been relatively of much greater importance in Edinburgh than in Dublin (in absolute terms the numbers of such schemes were almost the same). Conversely, new construction schemes (NEWO and CU+NO) had been relatively and absolutely of much lesser importance in Edinburgh. This might again have reflected developer preferences, but it was considered more likely that this was another manifestation of the effects of planning. Large parts of historic Edinburgh were shown to have had no applications for NEWO development, presumably indicating that developers had taken note of the conservation policies in force.

Secondly, the majority of the analysis focused on relative comparisons between the two cities. It was considered worth stressing the absolute differences that existed, particularly in terms of the NEWO class and total gross floor area. While Edinburgh was shown to have recorded the higher proportional success rates, hence disproving two of the hypotheses (A and C), absolute office development pressure, especially in the central areas, was shown to have been of the order of four to five times greater in Dublin in terms of the amount of gross floor area granted planning permission. This was considered to partly reflect faster growth of the office sector in Dublin, but also to be partly an effect of a speculative boom. Dublin finished the study period with substantial vacancy and hundreds-of-thousands of square metres' worth of unutilised planning permissions.

Thirdly, Hypothesis D relating to the average size of office development was neither proven nor disproven. There were, though, as was noted in Chapter 4, some problems in collecting the data. In Edinburgh they constituted a non-random sample of about 70 per cent of the NEWO schemes, and the available evidence suggested that a disproportionate amount of missing data in Edinburgh related to relatively small planning applications. Thus it was considered that better data could well have moved the statistical results towards greater support for accepting the hypothesis, particularly for the important NEWO scheme type.

Fourthly, although Hypothesis G relating to planning conditions was found to have been only partially true, it was proposed that the appearances of the conditions were deceptive in many cases. It was argued that the conditions used in Dublin were, paradoxically, an indication of weaknesses in the development control system. Although to some extent a subjective impression, it also appeared that the institutional differences (e.g. the fixed decision period in Dublin) contributed to an altered usage of conditions, and also that their enforcement may have been rather weak in Dublin. The implications of the conditions, for example in terms of costs, were difficult to judge without further research. The survey of developers that had to be abandoned would have assisted in this respect. This would also have helped to determine whether the two planning systems were operating differently in whether or not conditions were used as a means of attempting to modify the development proposals.

Fifthly, while Hypothesis E relating to planning delays was found to have been only partially true, it was shown that delays in Edinburgh were greatest for the larger applications, NEWO and/or city centre schemes. It was found that the worst delays arose in the Edinburgh appeals system. Despite government pressure to the contrary, Edinburgh delays did not appear to have reduced over time. Delays would thus have tended to affect most the larger commercial property development organisations, for whom they might be expected to have the largest cost implications. It was also pointed out, though, that at least part of the extra delay in Edinburgh arose through the opportunity for extended negotiations between developers and the Planning Authority, and that this in turn probably contributed to the overall relatively high success rate of Edinburgh office planning applications.

Finally, although Hypothesis H relating to conservation was found to have been only partially true, this was considered to have been somewhat misleading. This was because Listed Building and Conservation Area provisions were considerably less extensive in Dublin than in Edinburgh, with the result that the planners in the former could more easily afford to have been relatively strict in protecting what was a quite

small part of the city. This would tend to have given Dublin an apparently relatively high refusal rate for protected buildings. On the other hand, it was also argued that Listed Building status appeared to have acted as a greater deterrent to NEWO developers in Edinburgh than in Dublin. The result being that in Edinburgh development proposals that affected Listed Buildings or which were located in Conservation Areas were considerably more likely to have been sympathetic to conservation objectives than would have been the case in Dublin. Thus probably few applications made in Edinburgh had severely detrimental implications for conservation, but this was certainly not the case in Dublin where many Listed Buildings have been lost.

The final conclusion that was reached, therefore, was that a case had been made that Edinburgh had been more restrictive of office development than was at first apparent. It was considered that this had been particularly the case in relation to the effects of conservation, and to planning delays as they affect primarily either larger schemes, NEWO developments or city centre proposals. It was also argued that the record of planning applications itself did not constitute a full measure of possible office development activity, but would have been influenced to a varying degree by developers' perceptions and expectations. Therefore, the main hypothesis to the effect that during the period 1976 to 1985 the development control system in Edinburgh had significantly restricted the level of office development, or raised the costs, compared to Dublin was accepted as having been at least partially true, on the balance of the available evidence.

The above is not, though, to conclude that the policies in Edinburgh have been detrimental to the city, or in other words that they have caused the costs of planning to outweigh the benefits. This is certainly one interpretation, namely that relative to Dublin Edinburgh has been a more restrictive city that has stifled change, office development and imposed additional costs on the office sector. If this were the case it would clearly be to the detriment of the city's long term economic viability. On the other hand an equally valid interpretation is that Edinburgh has had a more definite planning and land use strategy and the power to enforce it. In this scenario office developers, the office sector and the public could have benefited from the provision of a clear framework within which to work, the possible smoothing of cyclical fluctuations in the market, and the anticipation and amelioration of problems such as congestion and inadequate parking. As a further variant the interpretation could be that Edinburgh has been a better planned city attaching a high priority to environmental quality (e.g. appearance and conservation), but with a recognition that economic imperatives could not be ignored. Thus office development has been

directed to less sensitive areas, such as the major office complex now emerging at South Gyle. This would have benefited the residents, but also the economy through tourism, and the office sector (and office developers) through making the city a more attractive location.

Little hard evidence was available to measure the possible benefits of planning. Even if it was, the final assessment would still incorporate a large subjective content. It is my view that the latter two interpretations are broadly correct. The research has shown that some developers and land owners in Edinburgh have suffered real or potential costs, and developers have certainly had to adapt their developments to meet many of the planning policies. I consider that the gains achieved, such as better quality developments fitting in with the character of the city and a good conservation record, have exceeded these costs. As McDonald (1985) has noted, many people have made very substantial profits from office development activities in Dublin, but the planning control system has allowed this to be at the expense of very considerable costs to the city. These include the loss of historic buildings, poor quality or inappropriate designs, blight and dereliction from speculation and over-provision of offices, and the disruption of inner-city communities.

It is possible to identify some possible inferences for the rest of the UK. The qualified acceptance of the hypothesis on the effects of the national development control system in Edinburgh suggests that significant restrictions on development were probably experienced elsewhere. However, since Edinburgh has generally been considered to have operated stricter development controls than prevailed elsewhere in the UK, it could also be true that the degree of restriction elsewhere was relatively less. Identifying the differences between other UK cities and the Irish experience could thus be more difficult. Given the problem that was considered to exist of planning records not constituting a full record of possible development, it is considered important that any future investigation attempt to take this into account, and to identify the relative effects in so far as possible. This might involve surveys of known developers, perhaps especially any operating in both environments, and planning officers. As has been pointed out, such a survey was planned for the present study but could not be undertaken due to limited resources.

The research was set in the context of the hypothesis that planning controls have diminished economic growth, but the fact that the results have shown that planning controls have imposed some restriction on office development in Edinburgh does not imply that the hypothesis is true, as has been pointed out above. This is a necessary prerequisite, but a more objective evaluation would require considerable further work,

perhaps including the following: (1) an analysis of the overall effects on developers, since a restriction on development is not necessarily detrimental. There have been periods of office shortage in Edinburgh, particularly for very large organisations wanting a central location, but there is little evidence to suggest this has been a general characteristic of the market. The present study also showed that the development cycle had had a far smaller amplitude in Edinburgh than in Dublin. Thus although there was little in the way of a property boom in Edinburgh, the slump that occurred in Dublin was avoided and development proposals were made at a much steadier long term level. This could be beneficial to developers in the long term, and also better nationally in avoiding waste and over-investment in one sector of the economy. On the other hand it might be detrimental to individual developers by restricting the scope for speculation. Restricting development could also boost the return to developers through higher rents. (2) An investigation of the effects, if any, on users of office space. A restricted choice of premises, inappropriate locations or higher costs could be detrimental to the economic prosperity of the office sector. (3) A more detailed examination of the less tangible and externality effects. The object of planning is to achieve overall benefits for the community. Many possible benefits have been identified during the discussion, but a more comprehensive treatment and assessment could be made. Possible benefits include conservation and an improved appearance of the built environment (for example increasing tourism or attracting economic migration), the imposition of higher standards, greater efficiency, better co-ordination of activities and infrastructure provision, and democratic control. Costs might include ill-conceived or inappropriate policies, and misallocation of resources.

A number of findings can be used in the context of various planning issues to make some suggestions as to what each city might learn from the other. In the context of Edinburgh, the following points are made.

1 There may be some scope for reducing the time taken to process applications especially at the appeal stage, but the experience of Dublin suggests that a fixed two month decision period might lead to a combination of increased refusals, less consultation and poorer quality decisions.

2 The right of Third Party appeal is an interesting innovation in Dublin, although it has not been greatly used. It might be considered in the UK, although the greater opportunities for consultation prior to issuing planning decisions might mean that it is not considered necessary.

3 The much freer public access to planning records in Ireland is definitely worth emulating in the UK.

In the context of Dublin, there are more suggestions that can be made.

1 The Development Plan zoning based approach to planning has made the system rather rigid and inflexible. This has already been recognised by Dublin Corporation, noting that the objectives of planning were "almost exclusively confined to the letter of what is specified in the Plan Statement and on the zoning maps", (Corporation of Dublin, 1986, p65).

2 The fixed two month decision period may not provide sufficient time to adequately consider applications.

3 Public involvement in planning and the public accountability of the system (for example because of delegation of powers to the City Manager) may be limited.

4 The use of planning conditions to achieve modifications to planning applications should be reviewed. Such a system requires an effective enforcement mechanism.

5 Attempts to preserve historic areas of Dublin should be reviewed. If this is accepted as a public goal of planning (by no means certain given the 1957 statement of a government minister that Georgian houses "... stood for everything I hate (i.e. 800 years of English oppression)", (McDonald, 1985 p12).), then the compensation dangers of refusing planning permission and the inability to force owners to maintain Listed Buildings are serious problems.

6 The planners should give greater consideration to restraining speculative booms such as that of the early 1980s. Granting excessive numbers of planning permissions probably is not in the long term interests of developers, and leads to vacancy and blight.

7 Greater co-ordination of official bodies is required to meet objectives such a redirecting office development north of the River Liffey. Central government office leasing policies were completely contrary to this policy throughout the study period.

Finally, if all the suggested research was undertaken and the UK planning and development control system could be shown to have noticeably restricted economic growth, a trade-off would remain. Economic growth should not, in my opinion, be the sole grounds for the formulation or evaluation of policy, so the matter would become increasingly subjective. The desirability of planning and the perceived costs and benefits would depend on the relative weighting of economic growth vis-à-vis such factors as quality of life, the environment and sustainability and democratic accountability. This is not to suggest, though, that there would be no advantage to

such research, since it would serve to improve public knowledge and lead to a better informed and more conscious choice of the extent and purpose of planning control.

APPENDIX 1

CODES USED IN THE ORACLE DATABASE

The full planning application and planning appeal database is not included as an appendix due to the space that it would occupy, but it can be made available in digital form to anyone who is interested. This appendix, together with Appendices 2 and 3, provide the necessary information on the codes used to allow other users to access the information.

TABLES DUBLINDATA AND EDINDATA:

1 COLUMN SCHEME/ESCHEME

NEWO	Development comprising the construction of new office premises.
CUTOO	Development comprising a change of use of premises to offices.
CU+NO	Development involving both new office construction and a change of use to offices.
ON>NO	Development involving changes of use of some offices to non-office use and some non-office use to office use.
CUOTO	Change of use of one type of office to another (Edinburgh only).
CUTON	Development comprising a change of use of an office to a non-office use.

2 COLUMN ALT_APP_PLANS/EALT_APP_PLANS

Y	The development is an alteration to previously approved plans.
N	The development is not an alteration to previously approved plans.

3 COLUMN TYPE_APP/ETYPE_APP

FP	An application for full planning permission.
OP	An application for outline planning permission.
A	An application for approval of outstanding details.

4 COLUMN HOUSING_ACT

Y	The application was subject to the Housing Acts.
N	The application was not subject to the Housing Acts.

5 COLUMN DECISION/EDECISION

G	Granted planning permission.
R	Refused planning permission.
W	Withdrawn before a decision was made.
N	No decision was recorded in the planning register.
I	Application ruled to be invalid.

6 COLUMN ESPLIT_DEC

Y	Part of the application was granted and part refused.
N	The decision was not split.

7 COLUMN CONS_AREA/ECONS_AREA

Y	All or part of the site in a Conservation Area.
N	Site not in a Conservation Area.
FP	All or part of the facade in a Conservation Area and pre 1980 (Dublin).
F	All or part of the facade in a Conservation Area and post 1980 (Dublin).
YP	All or part of the site in Conservation Area and pre 1980 (Dublin).

8 COLUMN LISTED_BLDG/ELISTED_BLDG

N	Not a Listed Building.
1	A List 1 Building (Dublin).
2	A List 2 Building (Dublin).
A	An A Grade Listed Building (Edinburgh).
B	A B Grade Listed Building (Edinburgh).
BA	A B Grade Building forming part of an A Grade group (Edinburgh).
C	A C Grade Listed Building (Edinburgh).
CS	A C Statutory Grade Listed Building (Edinburgh).

TABLES DUBLINAPPEAL AND EDINAPPEALS:

1 COLUMN APPEAL_TYPE/EAPPEAL_TYPE

A	Appeal made by the applicant.
T	Appeal made by a Third Party.

2 COLUMN APP_DECISION/EAPP_DECISION

G	The appeal was granted.

R	The appeal was refused.
W	The appeal was withdrawn before a decision was made.
N	No decision was recorded in the planning register.
S	The appeal was granted but subsequently refused on appeal to the Supreme Court.

APPENDIX 2

LIST OF MAIN CONDITIONS ATTACHED TO GRANTS OF PLANNING PERMISSION

DUBLIN:

CODE	CONDITION
	MATTERS REQUIRING FURTHER APPROVAL
100	DETAILS OF ALL ALTERATIONS TO BE SUBMITTED
101	THE BRICK TO BE APPROVED
102	FACADE MATERIALS TO BE APPROVED
103	THE FRONT ELEVATION TO BE AGREED
104	ROOF MATERIALS TO BE APPROVED
105	COLOUR OF THE GLASS TO BE APPROVED
106	EXTERIOR COLOUR TO BE APPROVED
107	RAILINGS TO BE APPROVED
108	ALL FINISHES TO BE APPROVED
109	LANDSCAPING PLAN TO BE AGREED
110	CAR PARK DESIGN TO BE AGREED BEFORE STARTING
111	MAINTAINANCE SCHEME FOR COMMUNAL AREAS TO BE AGREED
112	RESTORATION PROPOSALS TO BE AGREED
113	DOOR/ENTRANCE DESIGN TO BE AGREED
	TIME LIMITS
200	OUTLINE PERMISSION VALID FOR ONE YEAR ONLY
201	TEMPORARY CONSENT DUE TO ROAD SCHEME
202	LANDSCAPE PLAN TO BE IMPLEMENTED WITHIN ONE YEAR
203	RES COMPONENT TO BE BUILT FIRST
204	TEMPORARY CONSENT FOR FIVE YEARS
205	HOTEL TO BE BUILT BEFORE THE OFFICES
206	TOP FLOOR CONVERTED TO RES USE FIRST
207	DEVELOPMENT TO BE COMPLETE WITHIN TWO YEARS
208	TEMPORARY CONSENT FOR THREE YEARS
209	RES COMPONENT TO BE BUILT WITHIN TWO YEARS
210	PERMISSION VALID FOR TEN YEARS
211	ONE OFFICE FLOOR ONLY UNTIL MEWS HOUSE BUILT
212	ONE OFFICE FLOOR ONLY UNTIL HOUSE APPROVED
213	DEVELOPMENT ON ROAD RES 1 STOREY FOR 7 YEARS ONLY
215	GRANT OF PERMISSION VALID FOR FIVE YEARS
216	MEWS HOUSES TO BE BUILT FIRST
217	LANDSCAPING IMPLEMENTED WITHIN 6 MONTHS OF COMPLETION
218	ONE FLOOR TO BE KEPT RES UNTIL MEWS HOUSE COMPLETE
219	NO 7 NOT TO BE DEMOLISHED UNTIL FULL APPROVAL GRANTED
	RESTRICTIONS ON USE
300	DEVELOPMENT TO BE PARTLY IN RESIDENTIAL USE
301	EXISTING RESIDENCE(S) TO BE REPLACED
302	FLOOR AREAS ALLOWED FOR USES SPECIFIED
303	NO ALTERATION TO THE GARDEN

304 THE EXISTING RESIDENTIAL USE TO BE KEPT
305 NO SHOPS PERMITTED
306 THE OFFICE USE TO BE REDUCED (NOT SPECIFIED)
307 FOR THE APPLICANTS USE ONLY
308 TO BE PARTLY USED FOR SHOPS
309 ALTERNATIVE RESIDENCE TO BE PROVIDED
310 TO BE USED AS LOCAL/DISTRICT OFFICES ONLY
311 AREAS NOT COVERED BY C/U TO REMAIN RESIDENTIAL
312 GROUND AND 1ST FLOOR TO BE EXHIBITION AREA
313 BANK/BUILDING SOCIETY USE ONLY
314 NO FURTHER OFFICE DEVELOPMENT TO BE ALLOWED
315 NO BANK/BUILDING SOCIETY USE
316 GROUND FLOOR TO BE EXHIBITION AREA
317 RESIDENCE TO BE SINGLE FAMILY DWELLING
318 BASEMENT AND GROUND FLOOR TO BE SHOPS ONLY
319 GROUND FLOOR SHOPS ONLY
320 PART OF GROUND FLOOR TO BE OFFICE NOT PARKING
321 THE PARK TO BE KEPT AS SUCH
322 GROUND FLOOR TO BE PUBLIC SERVICE OFFICE
323 FLAT TO BE FOR RESIDENTIAL USE ONLY
324 PENTHOUSE TO BE FOR RESIDENTIAL USE ONLY
325 ONE THIRD OF FLOOR AREA TO BE RESIDENTIAL
326 NOT MORE THAN 80,000 SQUARE METRES OF OFFICE
327 NOT MORE THAN 100,000 SQUARE METRES OF OFFICE
328 BASEMENT IF ANY NOT TO BE IN OFFICE USE
329 TO INCLUDE A MINIMUM OF 60 FLATS
330 ONE OFFICE FLOOR TO BE USED AS A RESIDENCE
331 FOR USE BY THE IRISH MEDICAL UNION ONLY
332 BASEMENT TO BE IN OFFICE USE ONLY
333 TO INCLUDE A MINIMUM OF 35 FLATS
334 NOT MORE THAN 12,000 SQUARE METRES OF OFFICE
335 TO CONTAIN ONE EXTRA FLAT
336 TO REVERT TO A SHOP IF USE CEASES
337 BASEMENT AND MANSARD TO BE IN RESIDENTIAL USE
338 MEWS TO USED AS RESIDENCE
339 25% OF FLOOR AREA TO BE IN RESIDENTIAL USE
340 BASEMENT TO REMAIN IN RESIDENTIAL USE
341 TO HAVE FOUR FLATS IN THE MAIN HOUSE
342 TO BE FOR MEDICAL CONSULTING USE ONLY
343 A RESIDENTIAL MEWS TO BE ERECTED
344 DEVELOPMENT TO BE FOR OFFICE USE ONLY
345 GROUND FLOOR OFFICE AND REST RESIDENTIAL
346 THREE CAR PARKING SPACES TO BE OMITTED
347 ONLY ONE NEW RESIDENCE TO BE BUILT
348 FOUR CAR PARKING SPACES TO BE OMITTED
349 17.5% OF FLOOR AREA TO BE IN RESIDENTIAL USE
350 FIRST FLOOR NOT TO BE IN RETAIL USE
351 DEVELOPMENT TO CONTAIN ONE FLAT
352 BASEMENT AND TOP FLOOR TO REMAIN RESIDENTIAL
353 2ND AND 3RD FLOORS TO REMAIN RESIDENTIAL
354 FIRST FLOOR TO BE PARTLY RESIDENTIAL IN USE
355 OFFICES TO BE IN UNITS OF 200 SQUARE METRES MAX
356 TO BE USED BY AN AGREED DIPLOMATIC USER ONLY
357 REMAINING GARDEN TO BE KEPT AS SUCH
358 TO BE USED ONLY AS ADVERTISED
359 GROUND FLOOR FRONTAGE TO BE MAX 2.5 METRES
360 BASEMENT TO BE USED AS STORAGE ONLY
361 OFFICES TO BE IN SMALL SUITES ONLY

362 A MAX OF 5OO SQUARE METRES FOR EACH OCCUPIER
363 MEDICAL BLOCK TO BE USED ONLY AS SUCH
364 NOT MORE THAN 9O SQUARE METRES OF OFFICE USE
365 GROUND AND 1ST OFFICE ONLY, 2ND RESIDENTIAL ONLY
366 FOR STORAGE USE ONLY
367 THE FIRST FLOOR TO BE RESIDENTIAL ONLY
368 NOT MORE THAN 4O% TO BE IN OFFICE USE

MODIFICATIONS REQUIRED TO BE MADE

400 OFFICE SPACE TO BE REARRANGED WITHIN THE BUILDING(S)
401 THE BUILDING LINE TO BE SETBACK
402 GRANTED FOR PART OF THE C/U APPLICATION ONLY
403 PART OF NEW DEVELOPMENT APPLICATION EXCLUDED
404 THE NUMBER OF FLATS TO BE REDUCED
405 THE TOP FLOOR TO BE A MANSARD
406 TO ALLOW FOR STREET WIDENING PROPOSALS
407 THE DEPTH OF THE BUILDING TO BE CUT
408 THE HEIGHT OF THE BUILDING TO BE REDUCED
409 THE SIZE OF THE ANNEXE TO BE REDUCED
410 THE OVERBRIDGE TO BE REMOVED
411 THE LOCATION OF THE BUILDINGS TO BE REARRANGED
412 NO OVERLOOKING TO OCCUR
413 WINDOWS TO BE OMITTED FROM FRONT ROOF SLOPE
414 ONE OFFICE FLOOR TO BE OMITTED
415 THE MANSARD ROOF TO BE SETBACK
416 ALLOWED FOR PART OF SITE ONLY
417 THE SIZE TO BE SLIGHTLY REDUCED
418 THE TOP FLOOR TO BE OMITTED
420 ONE QUARTER OF THE PROPOSED PARKING TO BE GARDEN
421 REAR YARD TO BE A CAR PARK
423 ONLY ONE DECK OF UNDERGROUND PARKING
424 A MINIMUM OF 2O FLATS IN THE NEXT PHASE
425 PENTHOUSE OFFICE TO BE OMITTED
426 THE EXTENSION TO BE OMITTED
427 REDUCE THE DEPTH OF THE REAR WING
428 UPPER FLOOR OF THE REAR EXTENSION TO BE OMITTED
429 ONLY SOUTH EAST PART OF SITE TO BE OFFICE
430 THE TOP FLOOR TO BE SETBACK
431 PART OF THE BASEMENT TO BE OMITTED
432 EXTENSION APPROVED, C/U NOT APPROVED
433 SIZE OF THE TOP FLOOR TO BE REDUCED
434 EXISTING REAR GARAGE TO BE REMOVED AND LANDSCAPED
435 THE MANSARD TO BE OMITTED
436 HEIGHTS OF SOME OF THE BUILDINGS TO BE REDUCED
437 THE ATTIC EXTENSION TO BE OMITTED

CONSERVATION RELATED

500 NO ALTERATIONS TO BE MADE WITHOUT APPROVAL
501 THE BRICK TO MATCH THE EXISTING BUILDING
502 HISTORIC MONUMENT/BUILDING TO BE KEPT
503 FACADE TO BE PRESERVED
504 CONSTRUCT A REPLICA FACADE IN PART
505 THE TREES TO BE RETAINED
506 CERTAIN BUILDINGS TO BE PRESERVED
507 THE BALUSTRADE AND CLOCK TO BE RETAINED
508 GEORGIAN RAILINGS REPAIRED AND/OR REPLACED

509 NO ALTERATIONS TO BE MADE TO THE FACADE
510 EXTERIOR PLASTERWORK TO BE RETAINED
511 A HIGH STANDARD OF ELEVATIONAL TREATMENT NEEDED
512 PART OF FACADE TO BE PRESERVED
513 BALCONIES TO BE RESTORED AS BEFORE
514 FACADE TO BE ENTIRELY RECONSTRUCTED IN REPLICA
515 STONE DOOR SURROUND TO BE KEPT
516 CORNERSTONES OF ADJOINING BUILDING TO REMAIN VISIBLE
517 DOOR AND FANLIGHT TO BE REPLACED IN GEORGIAN STYLE
518 RAILINGS TO MATCH THE ADJOINING
519 ANY TREES CUT DOWN TO BE REPLACED
520 WINDOWS TO BE REPLACED IN THE GEORGIAN STYLE
521 ONLY THE APPROVED ALTERATIONS TO BE MADE
522 NO DEMOLITION TO OCCUR
523 THE FACADE TO BE RESTORED
524 THE ENTRANCE STEPS TO BE RESTORED
525 ALL WINDOWS TO HAVE REVEALS
526 GEORGIAN FEATURES TO BE RESTORED
527 THE BUILDING TO HAVE IRON RAILINGS
528 AN ARCHAELOGIST TO BE PRESENT DURING EXCAVATIONS
529 12 MONTHS TO BE ALLOWED FOR ARCHAELOGICAL WORK
530 THE BUILDING TO BE RESTORED
531 TO HAVE A GEORGIAN STYLE FRONT DOOR
532 TO BE AN AUTHENTIC GEORGIAN DESIGN
533 S. FREDERICK ST FACADE TO BE SIMILAR TO FORMER HOUSES
534 THE MAIN HOUSE TO BE RESTORED
535 CERTAIN INTERIOR FEATURES TO BE RETAINED
536 INTERNAL GEORGIAN FEATURES MAINTAINED OR RESTORED

DESIGN RESTRICTIONS

600 THE FACADE TO BE IN BRICK
601 TO HAVE A LANDSCAPE PLAN
602 THE FACADE TO 'FIT IN'
603 NO INCREASE IN THE OVERALL HEIGHT
604 TO HAVE SLATE CLADDING ON THE ROOF
605 THE FACADE TO BE SYMPATHETIC TO GEORGIAN STYLE
606 NO EXTERNAL SIGNS ALLOWED
607 THE ELEVATION TO MATCH THE EXISTING
608 THE HEIGHT TO MATCH THE ADJOINING
609 TO HAVE A GRANITE FACADE
610 MAXIMUM HEIGHT SPECIFIED
611 SMALL ALTERATIONS TO BE MADE TO FACADE DESIGN
612 TO HAVE CLEAR GLASS
613 THE MANSARD BULK TO BE REDUCED
614 THE EXTERNAL FINISHES TO HARMONISE
615 THE FACADE TO BE MODIFIED
616 TO HAVE CEMENT PLASTER/PEBBLE DASH FINISH
617 BRICKWORK TO MATCH THE ADJOINING FACADES
618 LIGHTLY TINTED OR CLEAR GLASS ONLY
619 CERTAIN WINDOWS TO BE SCREENED TO AVOID OVERLOOKING
620 NOT TO BE VISIBLE FROM FITZWILLIAM SQUARE WEST
621 BALCONIES TO MATCH THE EXISTING
622 CERTAIN WINDOWS TO BE OMITTED
623 FACADE TO BE IN SCALE
624 BUILDING TO CONFORM TO THE BUILDING LINE
625 TO HAVE A PITCHED ROOF
626 BASEMENT FLOOR LEVEL TO BE LOWERED TO COMPLY WITH REGS

627 TREES TO BE PLANTED
628 REAR GARDEN TO REMAIN ACCESSIBLE TO RESIDENTS
629 THE ROOF TO HAVE A PARAPET
630 TO BE BETWEEN THREE AND FOUR STOREYS HIGH
631 ROOF LEVEL TO BE UNCHANGED FROM PREVIOUS GRANT
632 TO HAVE A PEBBLE DASH FINISH
633 CERTAIN WINDOWS TO HAVE OPAQUE GLASS
634 OFFICES TO BE A MAXIMUM OF THREE STOREYS
635 TO BE A MAXIMUM OF FOUR STOREYS
637 FLATS TO BE A MAXIMUM OF FIVE STOREYS
638 TO HAVE A PLANTED AREA AT THE REAR
639 ONLY THE ELEVATIONAL DESIGN TO BE ALTERED
640 TO HAVE A FIRE ESCAPE
641 ROOF DESIGN TO CORRESPOND TO THE ORIGINAL
642 NORTH FACING ROOF WINDOWS TO BE OMITTED
643 SMALL ALTERATIONS TO BE MADE TO THE ROOF DESIGN
644 TO HAVE A GARDEN ON THE BASEMENT EXTENSION ROOF
645 MATERIAL TO MATCH THE EXISTING BUILDING
646 TO INCLUDE ADDITIONAL WINDOWS
647 MAXIMUM PLOT RATIO 2.5
648 AREA TO BE LANDSCAPED
649 TO BE MAXIMUM OF SEVEN STOREYS
650 FACADE TO BE THREE STOREYS(OTHER(S) SETBBACK)
651 INISHES TO MATCH THE ADJOINING BUILDING
652 PLANT ROOM TO BE CONTAINED WITHIN THE ROOF
653 FACADES TO BE IN TERRACE FORM
654 THE DOORS TO BE RELOCATED
655 THE HOARDINGS TO BE REMOVED
656 PORTLAND STONE TO BE USED FOR THE FACADE
657 CERTAIN WINDOWS TO BE BAY WINDOWS
658 CERTAIN RAILINGS TO BE OMITTED
659 THE ROOF TO BE REDESIGNED
660 FLATS TO BE A MAXIMUM OF THREE STOREYS
661 EXTERNAL STEPS TO BE OMITTED
662 NO ACCESS TO THE BALCONY FROM THE OFFICES
663 TO HAVE A ROUGHCAST PLASTER FINISH
664 USE COBBLES IN THE CAR PARK
665 THE FACADE DESIGN MUST BE ACCEPTABLE
666 THE COPING TO BE IN LINE WITH THE ADJOINING
667 TO HAVE A STONE/BRICK BOUNDARY WALL
668 TO HAVE A RED BRICK BOUNDARY WALL
669 BRICK TO BE THE SAME COLOUR AS THE ORIGINAL
670 LANDSCAPE/SCULPTURE FEATURE TO FRONT AUNGIER ST
671 TO HAVE A SAFETY RAILING ALONG THE CANAL BASIN
672 NO PROJECTIONS BEYOND THE SECOND STOREY
673 DESIGN TO MATCH THE ADJOINING

PAYMENTS TO THE PLANNING AUTHORITY

700 A PAYMENT TO BE MADE TO THE CORPORATION
701 1/2 MILLION POUND CONTRIBUTION TO CORP HOUSING
702 A CONTRIBUTION TO BE MADE TO THE HOUSING PROGRAMME
703 THE WOLF TONE ST SITE TO BE SOLD TO CORP FOR 1 POUND

EDINBURGH:

CODE CONDITION

MATTERS REQUIRING FURTHER APPROVAL

100 LANDSCAPING TO BE APPROVED
102 SATISFACTORY PLANS, ELEVATIONS, ETC TO BE SUBMITTED
103 DETAILS OF THE SHOP FRONT ARE TO BE APPROVED
104 THE MATERIALS ARE TO BE APPROVED
105 THE GRANT IS SUBJECT TO THE APPROVAL OF THE SEC OF STATE
106 SUBJECT TO THE APPROVAL OF THE ARTIFICIAL STONE
107 DESIGN OF THE STATION ENTRANCE IS TO BE APPROVED
108 DETAILS OF THE DOORS AND WINDOWS ARE TO BE APPROVED
109 THE WINDOWS, RAILINGS, ETC ARE TO BE APPROVED
110 SUBJECT TO THE APPROVAL OF THE PRECAST STONE
111 THE RECONSTITUTED STONE TO BE APPROVED
112 THE BRICK TO BE APPROVED
113 THE ALUMINIUM CLADDING TO BE APPROVED
114 THE REAR ELEVATION TO BE APPROVED
115 THE INTERNAL LAYOUT TO BE APPROVED
116 THE NATURAL STONE TO BE APPROVED
117 THE ROOF MATERIALS TO BE APPROVED
118 THE MATERIAL COLOURS TO BE APPROVED
119 THE ELEVATION AND FINISHES ARE RESERVED MATTERS
120 SITING, FORM, HEIGHT, FINISHES, ETC ARE RESERVED MATTERS
121 THE WALL FINISHES ARE TO BE APPROVED
122 DETAILS OF THE STONE, ETC ARE TO BE APPROVED
123 DETAILED PLANS OF THE MEWS ARE TO BE APPROVED
124 DETAILS OF THE REAR EXTENSION ARE TO BE APPROVED
125 DETAILS OF THE FINISHES ARE TO BE APPROVED
126 DETAILS OF THE GLAZING MATERIALS ARE TO BE APPROVED
127 NTERNAL PANELLING TO BE APPROVED
128 TILES TO BE APPROVED
129 PAINT COLOUR TO BE APPROVED
130 DETAILS OF THE SUPERMARKET LOADING BAY TO BE APPROVED
131 BOUNDARY WALLS TO BE APPROVED
132 THE ALTERATIONS TO BE APPROVED
133 THE ELEVATION TO BE APPROVED
135 DETAILED PLANS TO BE APPROVED
136 THE LANDSCAPE MANAGEMENT PLAN TO BE APPROVED
137 DETAILS OF THE STORE TO BE APPROVED
138 THE NUMBER OF CAR PARKING SPACES TO BE APPROVED
139 THE FINAL DESIGN IS A RESERVED MATTER
140 DETAILS OF THE RAILINGS ARE TO BE APPROVED
141 MATERIALS AND ELEVATIONS FOR THE REAR AND SIDE TO BE APPROVED
142 ALTERATIONS TO 43 QUEEN ST A RESERVED MATTER
143 THE TREE PLANTING SCHEME IS TO BE APPROVED
144 DETAILS OF THE REAR ELEVATION TO BE APPROVED
145 BRICK AND ARTIFICIAL STONE FOR THE REAR TO BE APPROVED
146 DETAILS OF THE GEORGE ST FACADE TO BE APPROVED
147 DETAILS OF THE EXTENSION AND CHIMNEY TO BE APPROVED
148 WINDOWS TO BE APPROVED
149 THE ALTERATIONS TO THE FRONTAGE TO BE APPROVED
150 THE SLATE TO BE APPROVED
151 DETAILS OF THE DOORS AND PLASTERWORK TO BE APPROVED
152 DETAILS OF THE ROUGHCAST TO BE APPROVED
153 THE STONE CLEANING TO BE APPROVED
154 DETAILS OF THE ENTRANCE DOOR TO BE APPROVED
155 NATURAL STONE AND SLATE TO BE APPROVED
156 CHIMNEYS AND RAILINGS, ETC TO BE APPROVED

157 GROUND FLOOR PROPOSALS TO BE APPROVED
158 DETAILS OF THE DOORS TO BE APPROVED
159 SUSPENDED SECOND FLOOR TO BE APPROVED
160 HARD SURFACING TO BE APPROVED
161 CAR PARK ARCH AND GATES TO BE APPROVED
162 ARCHWAY TO BE APPROVED
163 THE STONE REPAIRS TO BE APPROVED
164 THE GROUND FLOOR USER TO BE APPROVED
165 THE MATERIALS FOR THE REAR TO BE APPROVED
166 DETAILS OF THE STONEWORK TO BE APPROVED
167 THE BALCONIES AND STREET LAMPS TO BE APPROVED
168 DETAILS OF THE GABLE ROOF TO BE APPROVED
169 FULL DRAWINGS, WINDOWS & STONE TO BE APPROVED BEFORE DEMOLITION
170 GEORGE ST WINDOWS TO BE APPROVED
171 BRICK FOR THE REAR FACADE TO BE APPROVED
172 SUBJECT TO THE APPROVAL OF LOTHIAN REGIONAL COUNCIL
173 THE ACCESS TO BE APPROVED

TIME LIMITS

200 GRANTED FOR ONE YEAR ONLY
201 GRANTED UNTIL SITE REQUIRED FOR APPROVED PARKING PROPOSAL
202 GRANTED FOR THREE YEARS ONLY
203 TEMPORARY OFFICES TO BE REMOVED FIRST
204 LANDSCAPING TO BE COMPLETED WITHIN 12 MONTHS OF THE BUILDING
205 THE OUTLINE PERMISSION VALID FOR TWELVE MONTHS
206 GRANTED FOR FIVE YEARS ONLY
207 DETAILED PLANS TO BE SUBMITTED WITHIN SIX MONTHS
208 LANDSCAPE PLAN TO BE SUBMITTED WITHIN THREE MONTHS
209 LANDSCAPING TO BE COMPLETED WITHIN 6 MONTHS OF THE BUILDING
210 GRANTED FOR TEN YEARS ONLY
211 GRANTED FOR SEVEN YEARS ONLY
212 OFFICES NOT TO BE STARTED UNTIL HOUSING UNDERWAY
213 GRANTED FOR TWO YEARS ONLY
214 LANDSCAPING TO BE COMPLETED WITHIN 5 YEARS OF START OF WORK
215 GRANT VALID FOR TWO MONTHS ONLY
216 APPLICATION FOR APPROVAL TO BE MADE WITHIN THREE YEARS
217 DEVELOPMENT TO COMMENCE WITHIN 5 YEARS OR 2 YEARS AFTER APPROVAL
218 CONVERSION DETAILS TO BE APPROVED WITHIN THREE YEARS
219 DEVELOPMENT TO COMMENCE WITHIN 1 YEAR OF DEMOLITION
220 STONEWORK REPAIRS TO BE COMPLETED BEFORE CHANGE OF USE
221 DEVELOPMENT TO BE BEGUN WITHIN FIVE YEARS
222 GRANTED FOR THREE MONTHS ONLY
223 GRANTED FOR 11 YEARS ONLY
224 GRANTED FOR NINE MONTHS ONLY
225 DEVELOPMENT TO BE BEGUN WITHIN THREE YEARS
226 GRANTED FOR SIX MONTHS ONLY
227 GRANTED FOR FOUR YEARS ONLY
228 LANDSCAPE PLAN TO BE APPROVED WITHIN SIX MONTHS
229 GRANTED FOR EIGHTEEN MONTHS ONLY
230 NO DEMOLITION UNTIL THE CONSTRUCTION CONTRACT LET

RESTRICTIONS ON USE

300 FOR STUDENT WELFARE USE ONLY
301 FOR APPLICANTS USE ONLY

302 PROFESSIONAL OFFICE USE ONLY
303 OPENING HOURS OF 9 TILL 5 SIX DAYS A WEEK
304 THE ATTIC FLAT TO BE SEPARATE FROM THE OFFICE
305 A MAXIMUM OF 20,000 SQUARE FEET OF OFFICE SPACE
306 A MAXIMUM OF 72,000 SQUARE FEET OF OFFICE SPACE
307 FOR ESTATE AGENTS USE ONLY
308 TO REVERT TO RESIDENTIAL IF THE USE CEASES
309 NO SHOPS
310 FOR OFFICE USE ONLY
311 A MAXIMUM OF TWELVE CAR PARKING SPACES
312 THE ENTRANCE TO 82 FOR EMERGENCY USE ONLY
313 FOR STORAGE USE ONLY
314 TO BE RESTORED TO USE AS OF OCT '75 AFTER EXPIRY OF GRANT
315 TO MAINTAIN A WINDOW DISPLAY
316 OFFICE USE RESTRICTD TO THE EXISTING BUILDING
317 A MAXIMUM OF TWO EMPLOYEES
318 ENTRANCE TO THE COMMON STAIR FOR EMERGENCY USE ONLY
319 ONLY THE GROUND FLOOR TO BE OFFICE
320 TO BE LIGHT INDUSTRY ONLY
321 ONE ROOM ONLY
322 ACCESS TO LEARMONTH CRESCENT FOR EMERGENCY USE ONLY
323 SUBJECT TO APPLICANTS EXISTING OFFICE BECOMING A RESIDENCE
324 RECORDING TO TAKE PLACE IN THE BASEMENT ONLY
325 BASEMENT TO BE WORKSHOP ONLY
326 GRANTED FOR CHANGE OF USE ONLY
327 USES TO BE IN T&CP USE CLASSES II AND III ONLY
328 NO NOXIOUS MATERIALS
329 HOURS RESTRICTED TO 8 TILL 6 SIX DAYS A WEEK
330 SUBJECT TO APPLICANTS EXISTING OFFICE CEASING TO BE SO USED
331 NO COOKING
332 LEGAL OFFICE USE ONLY
333 HOURS RESTRICTED TO 8 TILL 11 SIX DAYS A WEEK
334 HOURS RESTRICTED TO 8 TILL 10 DAILY
335 MAXIMUM OF 300 CAR SPACES. TO BE SHORT STAY ONLY

MODIFICATIONS REQUIRED TO BE MADE

400 THE EXPANSION OF THE CAR PARK IS EXCLUDED
401 ROOFLIGHTS TO BE REPLACED BY DORMERS ON THE WEST ELEVATION
402 THE CAR PARKING TO BE A SEPARATE APPLICATION
403 MODIFY TO ALLOW FOR STREET WIDENING

CONSERVATION RELATED

500 REBUILD THE FORMER STONE FACADE
501 NO EXTERNAL ALTERATIONS ALLOWED
502 THE MATURE TREES TO BE PROTECTED AND RETAINED
503 TO HAVE A NATURAL STONE FACADE
504 NATURAL STONE USED FOR THE REPAIRS
505 NATURAL SLATE USED FOR THE REPAIRS
506 TO HAVE AN EXACT REPLICA FACADE
507 THE RESIDENTIAL APPEARANCE TO BE MAINTAINED
508 NO ALTERATIONS TO THE LANDSCAPING
509 PLANS FOR RESTORATION OF LISTED BUILDINGS TO BE APPROVED
510 DETAILS OF THE RESTORATION TO BE APPROVED
511 ALTERATIONS TO MAIN STAIRCASE,ETC TO BE APPROVED
512 THE TREES TO BE RETAINED
513 TO BE OF AN APPROPRATE STANDARD FOR A CONSERVATION AREA

514 DETAILS OF JOINERY SALVAGE TO BE APPROVED
515 A MINIMUM OF TREES TO BE REMOVED
516 NO INTERNAL/EXTERNAL ALTERATIONS
517 TO BE IN CHARACTER WITH THE NEW TOWN
518 FRONT ELEVATION TO BE RESTORED TO THE ORIGINAL
519 THE CHIMNEY STACK TO BE REBUILT IN STONE
520 PORTICO OF 93 TO BE DISMANTLED FOR USE ELSEWHERE IN THE CITY
521 BASEMENT WINDOWS TO BE RESTORED IN NATURAL STONE
522 THE TREE NOT TO BE AFFECTED WITHOUT APPROVAL
523 NO ORIGINAL FIREPLACES TO BE REMOVED
524 NO ALTERATIONS WITHOUT PERMISSION
525 PRINCIPLE ELEVATIONS TO BE IN NATURAL STONE
526 THE RAILINGS TO BE REPLACED
527 HYDROFLUORIC ACID BASED STONE CLEANING
528 CERTAIN INTERNAL FEATURES TO BE REUSED
529 ALL CORNICES,MOULDINGS,ETC IN ORIGINAL BUILDING RESTORED
530 PAINT CLEANED FROM THE HIGH ST FACADE
531 TWO MARBLE FIREPLACES FROM 16 TO BE REUSED
532 SALVAGED STONEWORK TO BE REUSED
533 THE FIREPLACES TO BE REUSED

DESIGN RESTRICTIONS

600 ONE CAR PARKING SPACE PER FLAT
601 TO HAVE A LANDSCAPE PLAN
602 NO EXTERNAL DISPLAY BOARDS
603 TO HAVE A SCOTCH SLATE ROOF
604 THE PARTITIONS TO BE DEMOUNTABLE
605 TO HAVE NATURAL STONE WALLS
606 NO ADVERTISEMENTS
607 MAXIMUM HEIGHT 17M ABOVE ELLERSLEY ROAD
608 TO HAVE A NATURAL SLATE ROOF
609 THE COLOUR OF THE EXTERIOR TO MATCH THE EXISTING
610 THE EXISTING BOUNDARY WALL TO BE KEPT
611 THE LANDSCAPE PLAN TO BE IMPLEMENTED
612 A MAXIMUM OF TWO STOREYS
613 THE MATERIALS TO MATCH THE EXISTING
614 MAXIMUM HEIGHT 12.5M ABOVE FETTES ROW
615 TO MATCH THE EXISTING BUILDING
616 THE LANE LAY BY TO BE FINISHED WITH SETTS
617 TO HAVE TWO CAR SPACES PER RESIDENCE
618 THE BRICK AND CONCRETE TO BE AS PER THE SAMPLES
619 THE WINDOWS TO HAVE ASTRAGALS
620 TO HAVE ACCOUSTIC DOUBLE GLAZING TO THE MAIN ROAD
621 THE PLASTER MOULDINGS TO BE KEPT AND RESTORED
622 MAXIMUM 2:1 PLOT RATIO
623 THE FACADE TO BE PAINTED AS AGREED
624 THE PAVING AND STEPS TO BE STONE
625 TO HAVE PROPER SOUND INSULATION
626 TO BE AT LEAST TWO STOREYS HIGH
627 TO HAVE A SMALL NAMEPLATE ONLY

APPENDIX 3

REASONS FOR REFUSING PLANNING PERMISSION

DUBLIN:

CODE	REASON
100	RESIDENTIAL ZONING
101	MIXED RESIDENTIAL AND OFFICE ZONING
102	CONTRARY TO THE APPROVED ZONING
103	INDUSTRIAL ZONING
104	CONTRARY TO THE DEVELOPMENT PLAN
105	SITE SHOULD BE USED FOR RESIDENTIAL PURPOSES
106	EXTENSION OF AN UNAUTHORISED USE
107	SITE SHOULD BE USED MAINLY FOR RESIDENTIAL PURPOSES
108	SHOWROOM USE NOT PERMITTED
109	ZONING PERMITS A MAXIMUM OF 40% OFFICE USE
110	MIXED USE ZONING
111	POLICY TO PROMOTE RESIDENTIAL USE IN THE AREA
112	DEVELOPMENT WOULD EXCEED THE MAXIMUM PERMITTED OFFICE CONTENT
113	DEVELOPMENT SHOULD INCLUDE INDUSTRIAL USE
114	SITE SURROUNDED BY A RESIDENTIAL AREA
115	SITE ZONED FOR A DISTRICT CENTRE
116	GROUND FLOOR SHOULD BE IN RETAIL USE
118	SITE PARTLY IN UNAUTHORISED USE
119	POLICY TO RETAIN RESIDENTIAL USE IN THE AREA
120	CONTRARY TO POLICY OF NO CHANGE IN EXISTING PLOT RATIOS
121	CONTRARY TO PLANNING POLICY
122	CONTRARY TO POLICY OF DIRECTING DEVELOPMENT NORTH OF THE LIFFEY
123	LOSS OF INDUSTRIAL LAND
124	CONTRARY TO POLICY OF RESTRICTING NON-RESIDENTIAL USES IN THE AREA
125	POLICY THAT MEWS IN THIS AREA SHOULD BE IN RESIDENTIAL USE ONLY
126	CONTRARY TO POLICY IN RESPECT OF SHOPPING AREAS
127	POLICY TO RESTRICT AMUSEMENT FACILITIES IN O'CONNELL ST
128	DOES NOT CONFORM TO THE DEVELOPMENT PLAN IN RESPECT OF THE DESIGN OF ST. STEPHENS GREEN FACADES
129	LOSS OF SHOP
130	LOSS OF RETAIL USE IN A MAIN SHOPPING AREA
131	THE PLOT RATIO WOULD BE INCREASED CONTRARY TO THE DEVELOPMENT PLAN
200	DETRIMENTAL TO AMENITY
201	WOULD CAUSE OVERSHADOWING
202	WOULD CAUSE OVERLOOKING
203	OUT OF CHARACTER WITH THE AREA
204	LOSS OF OPEN SPACE
205	THE EXISTING BUILDING IS LISTED
206	NO OPEN SPACE IN THE DEVELOPMENT
207	INADEQUATE OPEN SPACE IN THE DEVELOPMENT
208	WOULD BE VISUALLY OBTRUSIVE
209	LOSS OF TREES
210	UNSIGHTLY TREATMENT OF THE ROOF

211 INTRUSION TO A RESIDENTIAL AREA
212 DETRIMENTAL TO A CONSERVATION AREA
213 LOSS OF THE GARDEN TO PARKING USE
214 INADEQUATE SANITARY FACILITIES
215 EROSION OF RESIDENTIAL CHARACTER
216 DETRIMENTAL TO THE DESIGN OF THE EXISTING BUILDING
217 TOO CLOSE TO THE MAIN HOUSE
218 CONTRARY TO CONSERVATION POLICY
219 INADEQUATE LANDSCAPING PROPOSED
220 WOULD DETRACT FROM THE ADJOINING LISTED TERRACE
221 INADEQUATE DAYLIGHTING
222 POLICY TO PROTECT THE ARCHITECTURE
223 OBJECTIONS ON HEALTH GROUNDS
224 WOULD LEAD TO NOISE AND OTHER DISTURBANCE
225 WOULD LEAD TO AN INTRUSION OF OFFICE USE
226 INADEQUATE AMENITY SPACE PROPOSED
300 EXCEEDS THE MAXIMUM SITE COVERAGE OR PLOT RATIO
301 WOULD LEAD TO OVERDEVELOPMENT OF THE SITE
302 EXCESSIVE HEIGHT PROPOSED
303 THE DEVELOPMENT IS PIECEMEAL
305 WOULD BE A FIRE HAZARD
306 TOO LITTLE RESIDENTIAL CONTENT IN THE PROPOSAL
308 LOSS OF RESIDENCE(S)
309 THE DEVELOPMENT WOULD BE SUBSTANDARD
310 THE BULK WOULD BE EXCESSIVE
311 THE SCALE WOULD BE EXCESSIVE
312 NO RESIDENTIAL CONTENT PROPOSED
313 THE DENSITY WOULD BE EXCESSIVE
314 THE EXISTING RESIDENCES WOULD NOT BE REPLACED
315 THE FACADE DESIGN IS INADEQUATE
316 THE DEPTH OF THE DEVELOPMENT WOULD BE EXCESSIVE
317 THE LAYOUT PROPOSED IS POOR
318 THE MEWS ARE NOT SUITABLE FOR FLAT USE
319 WOULD BE CONTRARY TO THE PROPER PLANNING OF THE AREA
320 THE INTENSITY WOULD BE EXCESSIVE
321 THE ELEVATION WOULD BE OUT OF CHARACTER WITH THE STREET
322 LOCATED TOO CLOSE TO THE SITE BOUNDARIES
323 REDUCES THE RESIDENTIAL CONTENT BELOW THE ACCEPTABLE LEVEL
324 THE DESIGN WOULD BE INCOMPATIBLE
325 RESTAURANT USE IS UNSUITABLE
326 LOCATED PARTLY OVER A CULVERT
327 UNACCEPTABLY HIGH PROPORTION OF OFFICE USE
328 THE OFFICES ARE LOCATED TOO CLOSE TO THE FLATS
330 ROOF DESIGN INADEQUATE
332 OUT OF SCALE WITH EXISTING DEVELOPMENT IN THE AREA
333 THE DESIGN IS INADEQUATE
334 THE DEVELOPMENT WOULD BE PREMATURE
335 THE PROPOSAL WOULD INHIBIT THE ORDERLY DEVELOPMENT OF ADJOINING LAND
337 THE FLOOR AREA PROPOSED IS EXCESSIVE
338 THE DEVELOPMENT WOULD BE MUCH LARGER THAN THE OTHER MEWS
400 NO PARKING OR INADEQUATE PARKING PROVISION
401 WOULD GENERATE EXCESSIVE ADDITIONAL TRAFFIC
402 EXCESSIVE PARKING PROVISION FOR THE INNER CITY
403 WIDTH OF THE ACCESS RAMP INADEQUATE
404 RESTRICTS TRAFFIC VISIBILITY AT A CORNER
405 CONFLICTS WITH BUSWAY PROVISION
406 ACCESS INADEQUATE

407	WOULD LEAD TO AN INCREASE IN CONGESTION
408	WOULD PRODUCE A TRAFFIC HAZARD
409	WOULD LEAD TO ON STREET PARKING
410	NO PROPER ROAD FRONTAGE TO THE SITE
411	THE ACCESS LANE IS TOO NARROW
412	LOSS OF OFF-STREET PARKING PROVISION
413	THE AREA IS ALREADY CONGESTED
500	THE AREA IS AFFECTED BY A COMPULSORY PURCHASE ORDER
501	PART OF THE SITE IS OWNED BY THE CORPORATION FOR ROAD WIDENING
502	THE AREA IS REQUIRED BY C.I.E. (RAIL AUTHORITY)
503	THE SITE IS PART OF A PROPOSED CORPORATION HOUSING AREA
504	AFFECTED BY ROAD WIDENING PROPOSALS
505	SITE OF A PROPOSED CORPORATION CAR PARK
506	PART OF THE SITE IS OWNED BY THE CORPORATION
600	THE APPLICANT DOES NOT OWN ALL OF THE SITE
601	THE SCHEME DOES NOT CONFORM TO THE OUTLINE PLANNING PERMISSION
602	THE SCHEME DOES NOT COMPLY WITH THE OFFICES ACT
603	THE SCHEME DOES NOT COMPLY WITH THE HOUSING ACT
604	THE SCHEME IS CONTRARY TO THE CONDITIONS OF A PREVIOUS GRANT
605	THE PROPOSAL WOULD SET A PRECEDENT
606	THE ADVERTISING OF THE APPLICATION WAS INADEQUATE
607	THE OUTLINE PERMISSION HAS EXPIRED
608	THE DOCUMENTATION SUBMITTED IS INADEQUATE
609	INVOLVES THE RETENTION OF AN UNAUTHORISED STRUCTURE
610	THE PLANS SUBMITTED ARE INADEQUATE
700	A CONDITIONAL REDUCTION IN FLOOR AREA TREATED AS A REFUSAL
800	GRANTED ON APPEAL ONLY FOR THE CHANGE OF USE NOT THE EXTENSION
900	THE APPEAL GRANT OF PERMISSION SUBSEQUENTLY OVERTURNED BY THE SUPREME COURT

EDINBURGH:

CODE	REASON
100	RESIDENTIAL ZONING
101	LOSS OF A SHOP
102	CONTRARY TO ZONING
103	LOSS OF INDUSTRIAL LAND
104	CONTRARY TO THE CENTRAL AREA OFFICE RESTRAINT POLICY
105	CONTRARY TO POLICY IN RESPECT OF LOSS OF CENTRAL AREA RESIDENCES
106	CONTRARY TO POLICY IN RESPECT OF LOSS OF SHOPS IN MAIN RETAIL AREAS
107	CONTRARY TO THE DEVELOPMENT/STRUCTURE PLAN
108	CONTRARY TO THE GREEN BELT POLICY
109	CONTRARY TO POLICY IN RESPECT OF THE LOCATION OF PUBS
110	CONTRARY TO POLICY OF PROMOTING CENTRAL AREA RESIDENTIAL USE
111	CONTRARY TO THE OFFICE LOCATION POLICY
112	CONTRARY TO POLICY IN RESPECT OF NON-RETAIL USES IN MAIN SHOPPING AREAS
113	CONTRARY TO THE DRAFT LOCAL PLAN
114	NON-RETAIL USES ALREADY EXCEED 5% OF THE MAIN RETAIL FRONTAGE
115	CONTRARY TO THE LOCAL PLAN
116	NON-RETAIL USES ALREADY EXCEED 25% OF THE RETAIL FRONTAGE

117 CONTRARY TO THE POLICY OF NO MAJOR OFFICE DEVELOPMENT IN THE INNER SUBURBS
118 CONTRARY TO POLICY IN RESPECT OF THE SUB-DIVISION OF OLDER BUILDINGS
119 CONTRARY TO THE GUEST HOUSE LOCATION POLICY
120 LOSS OF A POTENTIAL SHOP
200 DETRIMENTAL TO RESIDENTIAL AMENITY
201 LOSS OF A LISTED BUILDING
202 DETRIMENTAL TO A CONSERVATION AREA
203 WOULD HAVE AN ADVERSE EFFECT ON ADJOINING RESIDENTS
204 WOULD BE DETRIMENTAL TO A LISTED BUILDING
205 AN INAPPROPRIATE USE OF A CHURCH
206 WOULD BE DETRIMENTAL TO PRIVACY
207 THE HOUSING WOULD BE SUBSTANDARD
208 WOULD BE AN INTRUSION TO A RESIDENTIAL AREA
209 WOULD HAVE AN ADVERSE EFFECT ON THE PALACE
210 WOULD BE DETRIMENTAL TO THE RESIDENTIAL CHARACTER OF THE AREA
211 WOULD BE OUT OF CHARACTER
212 OFFICE USE ON A COMMON STAIR WOULD BE DETRIMENTAL TO RESIDENTIAL AMENITY
213 THE PROPOSED USE WOULD GENERATE EXCESSIVE NOISE, ETC
300 ADEQUATE PROVISION FOR OFFICE DEVELOPMENT EXISTS ELSEWHERE
301 WOULD LEAD TO LOSS OF RESIDENTIAL USE IN A RESIDENTIAL AREA
302 LOSS OF RESIDENTIAL USE IN A CONSERVATION AREA
303 LOSS OF RESIDENTIAL USE
304 THE PROPOSED HEIGHT IS EXCESSIVE
305 LOSS OF POTENTIAL RESIDENTIAL USE
306 THE DEVELOPMENT HAS INADEQUATE RESIDENTIAL CONTENT
307 THE DEVELOPMENT IS AN INAPPROPRIATE USE OF THE SITE
308 THE PROPOSED OFFICE SHOULD BE USED AS SHOPS
309 THERE IS NO NEED FOR THE PROPOSED DEVELOPMENT
310 IT WOULD BE DETRIMENTAL TO THE RESIDENTIAL/COMMERCIAL BALANCE
311 WOULD BE DETRIMENTAL TO A SHOPPING AREA
312 LOSS OF DAYLIGHTING
313 DETRIMENTAL TO THE NEW TOWN BY ITS ISOLATED NATURE
314 CONTRARY TO DESIRE TO REINSTATE RESIDENTIAL USE
315 SCHEME FAILS TO REALISE RESIDENTIAL POTENTIAL
316 PROPOSED RESIDENCE IS SUBSTANTIALLY SMALLER THAN THE EXISTING
318 THE USE WOULD BE UNSUITABLE
319 RECONSTITUTED STONE IS UNSUITABLE FOR THE SOUTH FACADE
320 THE DESIGN OF THE FRONT ELEVATION IS UNNSUITABLE
321 AN INCOMPATIBLE USE IN A COMMERCIAL AREA
322 THERE SHOULD BE ONE FLAT PER FLOOR ONLY
324 PROPOSAL WOULD LEAD TO OVERDEVELOPMENT
325 INTRODUCTION OF A COMMERCIAL USE TO RES AREA
326 EXCESSIVE NOISE FROM ADJOINING NEWSPAPER
400 ACCESS PROBLEM TO MAIN TRAFFIC ARTERY
401 WOULD GENERATE EXTRA TRAFFIC
402 WOULD GENERATE EXTRA ON STREET PARKING
403 TRAFFIC GENERATED DETRIMENTAL TO SAFETY
404 EXTRA TRAFFIC WOULD CAUSE CONGESTION
405 PREJUDICIAL TO ROAD PROPOSALS FOR THE AREA
406 NEW PARKING DETRIMENTAL TO LISTED BUILDING
407 ACCESS TO SITE UNSATISFACTORY
408 EXCESS PARKING PROVISION
409 INADEQUATE ROAD CAPACITY UNTIL BYPASS READY
500 PREJUDICIAL TO ALTERNATIVE HOUSING RENOVATION PLANS
501 PREJUDICIAL TO PROP CANONMILLS RES DEVELOPMENT

600 NOT IN ACCORD WITH OUTLINE PERMISSION
700 FLOOR AREA GRANTED REDUCED FROM APPLICATION AREA

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